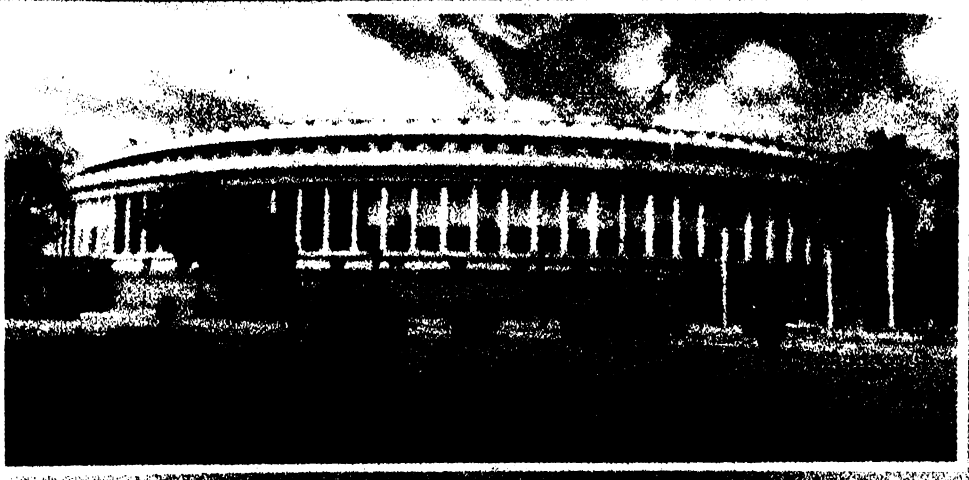
The Journal of Parliamentary Information



LOK SABHA SECRETARIAT, NEW DELHI

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VOLUME L NO. 4 DECEMBER 2004

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THE JOURNAL OF PARLIAMENTARY INFORMATION

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EDITORIAL NOTE

The success, effectiveness and prestige of any democratic institution rests on its orderly functioning and the extent to which it adheres to the standards of discipline, dignity and decorum while discharging its functions. In our system of parliamentary democracy and the current era of coalition politics, the Presiding Officers of the Legislatures hold an important and crucial position. It is well established that the successful working of the parliamentary system depends on the free and frank discussions on the floor of the House. The responsibility for achieving this objective devolves on the Presiding Officer who not only enforces the rules by his firmness, persuasive powers, sagacious counsel, diplomatic skills and perseverance of a high order, but also ensures that adequate opportunities to all sections of the House to ventilate their views are provided in consonance with the laid down principles and practices. He is the true custodian of the traditions of parliamentary democracy. The Presiding Officer symbolizes the dignity of the House; represents the full authority of the House and he is also the guardian of the rights and privileges of the House and its members. In this context, periodic exchange of views among the Presiding Officers of the Legislatures in the country assumes a special significance. The institutional mechanism for this, the Conference of Presiding Officers of Legislative Bodies in India, set up in 1921, has worked as an invaluable forum for exchange of experience and views among the fraternity of Presiding Officers in the country.

The Sixty-Seventh Conference of the Presiding Officers of Legislative Bodies in India was held at Kolkata from 8 to 12 October 2004. The Speaker, Lok Sabha and Chairman of the Conference, Shri Somnath Chatterjee inaugurated the Conference on 9 October 2004. In his stimulating Address, he touched upon several areas of topical interest in the present day political scenario and parliamentary environment. The Conference held extensive discussions on several issues. We include in this issue of the *Journal* the text of the Inaugural Address by Shri Somnath Chatterjee.

The Conference of Presiding Officers was followed by a Symposium on "The Relationship between the Legislature and the Judiciary" on 11 October 2004. The Chief Minister of West Bengal, Shri Buddhadeb Bhattacharjee inaugurated the Symposium. The Speaker, Lok Sabha, Shri Somnath Chatterjee presided over the Symposium and delivered the Opening Address. The Symposium was attended by the Presiding Officers of the Legislative Bodies in India, members of Parliament from

West Bengal and members of the West Bengal Legislative Assembly. We include the text of the Opening Address delivered by Shri Somnath Chatterjee, in this issue of the *Journal.*

We also carry in this issue the other regular features, *viz.* Parliamentary Events and Activities, Procedural Matters, Parliamentary and Constitutional Developments, Sessional Review, Recent Literature of Parliamentary Interest and Appendices.

It has been our constant endeavour to make the *Journal* more useful and informative. We would greatly welcome suggestions for its further improvement. We also welcome practice and problem-oriented, non-partisan articles in the field of parliamentary procedures and institutions from members of Parliament and State Legislatures, scholars and others interested in the field of parliamentary political science.

—G.C. Malhotra
Editor

ADDRESS BY THE SPEAKER, LOK SABHA, SHRI SOMNATH CHATTERJEE AT THE SIXTY-SEVENTH CONFERENCE OF PRESIDING OFFICERS OF LEGISLATIVE BODIES IN INDIA

The 67th Conference of Presiding Officers of Legislative Bodies in India was held at Kolkata from 8 to 12 October 2004. The Speaker, Lok Sabha and Chairman of the Conference, Shri Somnath Chatterjee delivered the Inaugural Address on 9 October 2004. The full text of the Address was circulated at the Conference. As part of the Conference, the Speaker, Lok Sabha, inaugurated an Exhibition titled "Parliamentary Democracy: Our Heritage and Achievements" at the West Bengal Legislative Assembly Premises on the same day. The Exhibition was set up by the Parliamentary Museum and Archives (PMA) of the Lok Sabha Secretariat in collaboration with the Directorate of Advertising and Visual Publicity (DAVP).

We reproduce below the text of the Address by the Speaker, Lok Sabha, at the Conference.

—Editor

ADDRESS BY THE SPEAKER, LOK SABHA, SHRI SOMNATH CHATTERJEE

Honourable Speaker, West Bengal Legislative Assembly, Shri Hashim Abdul, Honourable Deputy Chairman, Rajya Sabha, Shri K. Rahman Khan; Honourable Deputy Speaker, Lok Sabha, Sardar Charnjit Singh Atwal; Honourable Fellow Presiding Officers from State Legislatures; Honourable Ministers; Honourable Legislators; Learned Secretaries-General of the Lok Sabha and the Rajya Sabha; Ladies and Gentlemen:

It is a matter of great pleasure and honour for me to be here with you and to join our hosts in welcoming you all to this great City of Kolkata and to the Conference of the Presiding Officers of Legislative Bodies in India. It gives me added pleasure to welcome you to a State which I have been representing in Lok Sabha right since 1971.

Going by her remarkable history, culture and heritage, I am sure you will all agree that the State of West Bengal occupies a pre-eminent position in our nation's millennia old history. The people of the State were not only in the forefront of the country's freedom struggle but also

made valuable contributions to the making of modern India. West Bengal has produced a galaxy of eminent personalities in the fields of science, literature and arts. It is also known for its pioneering social reformers. It has produced literary giants like, Bankimchandra Chatterjee and Rabindranath Tagore, apart from many others. Our National Song and National Anthem--the symbols of our national identity in the world, as also the perennial sources of inspiration to millions of our people—are the creations of these two great literary figures.

As you all know, this Conference was earlier scheduled to be held at Patna in February 2004, but owing to the general elections in the country, it was postponed. Kolkata has the proud privilege of having been the venue of a similar Conference in 1984 as well.

Kolkata is a historic city, assimilating in it the glory of the past and modernity of the present. Kolkata has been the home or the plaçe of work of all Nobel laureates—Rabindranath Tagore, one of the greatest poets ever born; Mother Teresa, the apostle of peace, love and humanity; and Amartya Sen, a visionary economist and thinker, Sir Ronald Ross and Sir C.V. Raman, two of the greatest scientists, also did their work here. The city is synonymous with intellectualism and human values and is known as the Cultural Capital of India. Needless to say, this historic city and indeed the whole West Bengal, with a rich tradition of culture, language and literature provides the ideal environment for our deliberations. I am sure that this Conference will provide us an opportunity to experience the traditional warmth, simplicity, and hospitality of the people of West Bengal.

Friends, before I proceed further, I deem it my sad duty to refer to the passing away of some of our esteemed colleagues, who at one time or the other belonged to the family of Presiding Officers. They are: Sarvashri Nissanker Rao Venkataratnam, former Speaker, Andhra Pradesh Legislative Assembly; Abdul Gafur, former Chairman, Bihar Vidhan Parishad; Korambayil Ahammed Haji, former Deputy Speaker, Kerala Legislative Assembly; Ram Kishor Shukla, former Speaker, Madhya Pradesh Vidhan Sabha; Brijmohan Mishra, former Speaker, Madhya Pradesh Vidhan Sabha; Thiru V.P. Balasubramanian, former Deputy Speaker, Tamil Nadu Legislative Assembly, A.M. Thomas, former Speaker, Travancore-Cochin Legislative Assembly and Shiv Prasad Gupta, former Chairman, Uttar Pradesh Vidhan Parishad. I pay my respectful homage to their memory.

As you are aware, I assumed the Office of the Speaker of Lok Sabha on 4 June 2004 and I have the honour of being unianimously elected to this august office. As the Speaker of the Lok Sabha, through

Shri Somnath Chatterjee, Speaker, Lok Sabha and Chairman of the Conference delivering the Inaugural Address at the Conference at Kolkata on 9 October 2004

this forum, I take the opportunity to look forward to interacting with my fellow Presiding Officers from all over the country. After the previous Conference in Mumbai in February 2003, as many as 34 distinguished personalities have joined the family of Presiding Officers. They include my esteemed colleague in the Lok sabha, Sardar Charnjit Singh Atwal, the Deputy Speaker and Shri K. Rahman Khan, Deputy Chairman of the Rajya Sabha. Both of them are well-known parliamentarians and need no introduction.

On behalf of all of you and on my own behalf, I extend a hearty welcome to each one of them on their joining our fraternity. I welcome them heartily to this very important Conference. I also place on record our appreciation of the valuable contribution made to our Conference by those colleagues who have earlier been the Presiding Officers.

Friends, since the last Conference, we have had three sessions of the Thirteenth Lok Sabha, and after the recent General Election, we have had two sessions of the newly constituted Fourteenth Lok Sabha.

Subsequent to the dissolution of the Thirteenth Lok Sabha in February, 2004 elections for the constitution of a new House, were held in April-May in different phases. In these elections, the Indian voters, as usual, have exhibited their maturity. Needless to say, the recent elections have once again reaffirmed our peoples' firm commitment to parliamentary democracy.

The Twelfth Session of the Thirteenth Lok Sabha, popularly known as the Budget Session, commenced on 17 February, 2003 with the Address of the Honourable President to the members of both the Houses and concluded on 9 May, 2003. The Thirteenth Session of the Thirteenth Lok Sabha which began on 21 July, 2003 concluded on 22 August, 2003 and was quite turbulent.

One of the issues that rocked the House and led to disruption of the proceedings during the Thirteenth session was the report of the Public Accounts Committee (PAC) on Review of Procurement for Operation Vijay, presented to the House on 6 August, 2003. The Report was unique inasmuch as the PAC, for the first time, expressed their inability to give their findings on the Comptroller and Auditor General (C & AG)s Report under their examination as the Ministry of Defence had declined to furnish the Report of the Central Vigilance Commission (CVC) on defence transactions to the Committee on the ground that it would be prejudicial to the interests of the State.

Issues relating to the PAC report subsequently also became one of the reference points for the No-Confidence Motion moved by the then

Leader of the Opposition in Lok Sabha, Smt. Sonia Gandhi, on 18 August 2003. The discussion on the No-Confidence Motion lasted for more than 21 hours and at around midnight on 19 August 2003, the House divided and the Motion was negatived.

The Fourteenth Session of the Thirteen Lok Sabha which turned out to be its last session, was convened in two parts. The first part of the session began on 2 December 2003 and concluded on 23 December 2003 and the second part commenced after a gap of 36 days on 29 January 2004 specially to pass the Vote-on-Account for the first four months of the year 2004-2005 and ended on 5 February 2004.

The validity and propriety of convening the second part of the Session in the new calendar year 2004, subsequent to the *sine die* adjournment of the House on 23 December 2003, without the President's Address to both the Houses, as prescribed under article 87 of the Constitution, became an issue of contention during the Session.

Holding that a session comes to an end only when the House is prorogued, the then Speaker ruled that he was treating the sittings of the House convened from 29 January 2004 to 5 February 2004 a continuum, or the second part of the Fourteenth session of the Thirteenth Lok Sabha, notwithstanding the fact that the calendar year had since changed. Subsequently, the issue was taken to the Honourable Supreme Court which admitted a writ petition by an Honourable member and the same is still pending with the Court.

Friends, as you all know, the Thirteenth Lok Sabha, constituted on 10 October 1999, was dissolved on 6 February 2004. In all, it held 14 sessions, spreading over nearly 52 months consisting of 356 sittings lasting over 1945 hours.

Following the general elections, the Fourteenth Lok Sabha was constituted on 17 May 2004. It saw a change of Government with the Treasury Benches being occupied by the Indian National Congress (INC)—led United Progressive Alliance (UPA) and Dr. Manmohan Singh sworn in as the thirteenth Prime Minister of the country on 22 May 2004. The composition of the new House has seen a shift towards youth and fresh blood with as many as 227 members being first timers in the Lok Sabha. I hope these newly elected members and particularly the young ones in different parties will contribute positively in the strengthening of our parliamentary democracy.

The First Session of the Fourteenth Lok Sabha which commenced on 2 June 2004 came to an end on 10 June 2004. The first two sittings of the new House were mainly devoted to the members making and

subscribing the oath or affirmation. On 4 June 2004, as mentioned earlier, I had the honour of having been elected unanimously as the Speaker of the House. In my reply to the felicitations, I expressed my sincere gratitude to the House for the honour bestowed upon me and said:

> 'I am fully conscious of the responsibility bestowed on me as Speaker of this august House. The willing co-operation you have promised today on the floor of the House gives me the strength to shoulder the great responsibility and prove myself worthy of the trust you have reposed in me. Conscious as I am of the responsibility that has been entrusted, I can assure you that I shall always endeavour to conduct the business of this House in keeping with the lofty ideals and noble goals enshrined in our great Constitution and in the Rules of Procedure and in tune with the highest parliamentary traditions..... I am grateful to the Honourable members for their warm expressions about me and for assuring me their unstinted cooperation. On my part, let me assure you once again that I shall endeavour my best to justify the trust that you have reposed in me and meet your expectations.'

My colleague, Sardar Charnjit Singh Atwal was also elected unanimously as the Deputy Speaker of the House on 9 June 2004.

As is customary, on the occasion of the First Session of the new Lok Sabha, the President, Dr. A.P.J. Abdul Kalam addressed the members of both the Houses of Parliament in the Central Hall of Parliament on 7 June 2004. The Motion of Thanks on the President's Address could not be fully discussed due to interruptions in the House and was put to the vote on 10 June 2004, as a result of understanding reached among the political parties on both sides.

The Second Session, which was the first Budget Session of the Fourteenth Lok Sabha, commenced on 5 July 2004. The Railway and the General Budgets for the year 2004-05 were presented on 6 and 8 July 2004, respectively. The House went on recess from 26 July 2004 to 13 August 2004 to enable the Standing Committees to examine and report on the Demands for Grants of various Ministries and Departments. These Committees, despite severe time constraints, performed commendably and presented as many as 38 Reports to the House.

Friends, it was a matter of regret for me that the Railway as well as the Demands for Grants in respect of the General Budget and Finance Bill, 2004 had to be passed without any discussion owing to the continued interruptions and forced adjournments of the House. There have been

two such instances in past when financial business had to be passed without discussion. First, it was in 1991 when after the resignation of the Council of Ministers, the interim Railway and the General Budget and the Budgets in respect of the States of Punjab, Assam, Tamil Nadu, Jammu and Kashmir and the Union territory of Pondicherry for the year 1991-92 were passed without discussion on 11 March 1991. In the second instance, in 1999, after the defeat of the Confidence Motion on the floor of the House, the Demands for Grants relating to the Railway and the General Budget 1999-2000 were voted without discussion on 22 April 1999.

But this year's passing of financial business was unusual inasmuch as it was necessitated due to a stalemate that arose as a result of continued interruptions in the House. The House, originally scheduled to have 30 sittings, prematurely concluded on 26 August 2004, abandoning six precious days of sittings. During the remaining days of actual sittings too, we lost over 47 hours of valuable time due to disorderly scenes resulting in forced adjournments of the House. Unfortunately, on as many as seven days of the Session, the business transacted by the House was almost negligible. All my sincere and humble efforts to break the impasse and ensure the smooth and orderly functioning of the business of the House were of no avail.

It is a serious matter and I request all of you to ponder over it. I have requested the Leaders of all parties to ponder over this matter and find a solution to the problem. In this connection, I have convened a joint meeting of the Leaders, Deputy Leaders and Whips of parties of both the Houses on 8 November 2004, to discuss the ways and means, and if possible, evolve a code of conduct for ensuring the effective functioning of the Parliament. The respected Chairman of the Rajya Sabha has kindly consented to preside over the same. I sincerely hope that the collective wisdom of the Leaders will act as a guiding force in the effective functioning of the Parliament in the days to come.

Friends, I would now like to recapitulate some of the significant developments of parliamentary interest that have taken place since our last Conference held in February 2003 in Mumbai.

On 7 and 24 April 2003, Shri Ram Vilas Paswan, MP gave notices of question of privilege against Shri Amit Shah, Home Minister, Government of Gujarat for a misleading statement allegedly made by Shri Shah. Shri Paswan in his notices of question of privilege alleged that as reported in "The Hindu" dated 11 March 2003, Shri Amit Shah had made a misleading Press statement about him stating that a survey

had been conducted on the Christian community in the Gujarat State at local level as part of an answer to a question raised in the Lok Sabha by Shri Paswan in connection with the Anti-Conversion Bill. Shri Paswan contended that at no time had he raised any question in the Lok Sabha about the Christian Community in Gujarat or regarding conducting of any survey on them in Gujarat. He alleged that such a statement by the Home Minister of Gujarat was not only misleading but also politically motivated to malign him. The member also raised the matter during the 'Zero Hour' on 9 and 21 April 2003.

On 24 April 2003, when Shri Paswan sought to raise the matter in the House, the then Speaker, Shri Manohar Joshi gave the following ruling:–

> "I have received your notices of question of privilege dated 7 and 24 April, 2003 against the Home Minister, Government of Gujarat for his alleged misleading statement against you in the Press. As you are aware, the Home Minister of Gujarat, against whom the notices of question of privilege are directed, is a member of the Gujarat Legislative Assembly. It is well established that one House cannot claim or exercise any authority over a member of the other House.
>
> I have accordingly, referred the matter to the Honourable Speaker, Gujarat Legislative Assembly for appropriate action in the matter under intimation to me."

On 24 June, 2003, the Secretary-in-charge, Gujarat Legislative Assembly addressed a letter to the Secretary-General, Lok Sabha, informing that Shri Amit Shah, Minister of State in his explanation had stated that he had not given any information to any Press Trust of India (PTI) reporter regarding survey of the Christian Community in the State. He had further stated that he had neither given any appointment to any Press reporter nor had he issued any Press report in this regard. The news regarding the survey of the Christian community published in his name in the daily 'The Hindu' is misleading and baseless. From the reply of Shri Amit Shah, it seemed that he had not made any statement regarding the survey of the Christian Community in Gujarat to any Press reporter or media. Honourable Speaker, Gujarat Legislative Assembly was of the opinion that there was no *prima facie* case of breach of privilege and as such, no further action was required to be taken in this matter.

The matter was, therefore, treated as closed.

In another case, on 24 April 2003, Sarvashri Ramji Lal Suman, Toofani Saroj, Raghunath Jha, Ram Rati Bind and Kunwar Akhilesh

Singh, MPs gave notices of question of privilege against Kum. Mayawati, the then Chief Minister of Uttar Pradesh for having cast aspersions on the House. The members in their notices stated that on 21 April 2003 immediately after the House met, the members made submissions on the matter regarding alleged framing of charges against the Leader of the Samajwadi Party and others in Uttar Pradesh over which members of all sections of the House desired that a Code of Conduct for Chief Ministers of States be laid down. The members contended that the Chief Minister of Uttar Pradesh reacting to the views expressed by members in the House, had stated that "Sampoorna Lok Sabha Manuwadi Pravatti se grast hai" (The entire Lok Sabha is afflicted with manuwadi trait). The members alleged that such remarks by Kum. Mayawati constituted contempt of the House. When Shri Ramji Lal Suman raised the matter in the House on 28 April 2003 during 'Zero Hour', the then Speaker gave the following ruling:–

> "I have received notices of question of privilege from Sarvashri Ramji Lal Suman, Toofani Saroj, Raghunath Jha, Ram Rati Bind and Kunwar Akhilesh Singh, members of Parliament against Kum. Mayawati, Chief Minister of Uttar Pradesh, for committing a contempt of the House.
>
> As you are aware, Kum. Mayawati, Chief Minister of Uttar Pradesh against whom notices of question of privilege are directed, is a member of the Uttar Pradesh Legislative Assembly.
>
> It is well established that one House cannot claim or exercise any authority over a member of the other House.
>
> I am, accordingly, referring the matter to the Honourable Speaker, Uttar Pradesh Legislative Assembly for appropriate action in the matter under intimation to us."

The Speaker, Uttar Pradesh Legislative Assembly *vide* his letter dated 23 July 2003 stated that Kum. Mayawati, the then Chief Minister, Uttar Pradesh had sent him a copy of her reported Press note dated 21 April 2003 on the basis of which the members had given notices of question of privilege and after perusing the same, he came to the conclusion that there was neither any breach of privilege of any member nor contempt of the House by her. As the members had also not supported their allegations against her, he had not accepted notices of question of privilege against her.

The matter was, thereafter, treated as closed.

Friends, it is well known that Parliamentary Committees perform a pivotal role in a parliamentary democracy. These Committees have been

rightly recognised as a powerful instrument in strengthening not only the parliamentary process but also the accountability mechanisms. We have evolved a network of Parliamentary Committees to ensure executive accountability. Though, various Committees have been functioning within the framework of their defined mandate, sometimes due to jurisdictional overlapping in their functioning, the desired results could not be achieved. It was therefore, thought appropriate to examine the entire gamut of issues so as to further strengthen the Committee System. You may recall that a Joint Parliamentary Committee (JPC) under the Chairmanship of Shri Pranab Mukherjee was constituted in 2000 for the purpose. In its Report, presented on 26 July 2001, the JPC had recommended the restructuring of the Committee System. On its recommendations, while a few Departmentally-Related Standing Committees (DRSCs) were bifurcated to constitute separate committees to deal with distinct subjects, a few were newly created. As a result, the number of DRSCs now has been increased now 17 to 24, while the strength of each of these Committees has been reduced from 45 to 31 members. The restructuring of the Committee System is intended to bring about an improvement in the examination and scrutiny of the Demands for Grants of the Ministries and Departments. I am sure, it would in the long run, ensure effective Parliamentary scrutiny of the Executive as envisaged in our Constitutional scheme.

Another major development relates to the timely implementation of recommendations made by the Departmentally-Related Standing Committees. Making concrete and pointed recommendations by the DRSCs is an essential adjunct in the interface between the Committees and the concerned Ministry/Department falling under their jurisdiction. But unless the recommendations are effectively implemented, the whole purpose behind the exercise is defeated. Therefore, I felt that there was need for making a provision in the Rules/Directions to ensure that the concerned Ministers give due importance and consideration to the timely implementation of the recommendations of DRSCs. Accordingly, a new Direction 73 A has been notified on 1 September 2004 providing that the Minister concerned shall make once in six months, a statement in the House regarding the implementation of recommendations contained in the reports of the DRSCs of the Lok Sabha with regard to his Ministry. This new provision will be applicable to the Reports of the DRSCs of the Lok Sabha presented to the House from the Fourteenth Lok Sabha onwards.

Another important development worth mentioning here relates to the direct telecast of the so-called 'Zero Hour' proceedings. On the eve of

the Budget Session, I had a meeting with the Leaders of all the Parties and Groups in the House on 4 July 2004 where a consensus emerged on my proposal to allow live telecast of the so-called 'Zero Hour' proceedings. The live telecast, I am sure, will bring transparency and accountability in the functioning of the House since the people have the right to know as to what their representatives are doing inside the House. As you may be aware, till now, the entire proceedings except that of 'Zero Hour' of the Lok Sabha were being telecast live through Low Power Transmitter having a range of 10 to 15 kms from the Parliament House.

Friends, I would now like to make a mention of some important legislations the Parliament has enacted since we last met in Mumbai. First, I would like to mention about the Constitution Amendment Bills which have been passed by both the Houses and assented to by the President. Among the various legislations passed, the Constitution (Eighty-seventh Amendment) Act, 2003 provided for delimitation of constituencies of the Lok Sabha and the State Legislatures on the basis of 2001 census without affecting the total number of seats allotted to the House of the People or the legislative Assemblies. The Constitution (Eighty-eighth Amendment) Act, 2003 inserted a new article 268A which provides for taxes on services to be levied by the Union and collected and appropriated by the Union and the States. A new entry "92 C. Taxes on Service" was also inserted in the Union List in the Seventh Schedule. The Constitution (Eighty-ninth Amendment) Act, 2003 amended article 338 to bifurcate the National Commission for Scheduled Castes and Scheduled Tribes into two Commissions, namely, the National Commission for Scheduled Castes and the National Commission for Scheduled Tribes. The Constitution (Ninetieth Amendment) Act, 2003 amended article 332 so as to provide that for elections to the Legislative Assembly of the State of Assam, the representation of the Scheduled Tribes and non-scheduled Tribes in the constituencies included in the Bodoland Territorial Areas District, so notified, and existing prior to the constitution of Bodoland Territorial Areas District, shall be maintained.

The Constitution (Ninety-first Amendment) Act, 2003 recently enacted, represents a significant step towards curbing the evil of political defection in the Legislatures. The Act has *inter alia* provided, that the size of the Council of Ministers shall not be more than 15 per cent of the total number of members of the House of the People or the Legislative Assembly of a State, as the case may be. However, the number of Ministers, including the Chief Minister, in a State shall not be less than 12. The Act also omitted paragraph 3 of the Tenth Schedule. Paragraph

3 provided that a member shall not incur disqualification if he and any other member of his legislature party constitute a group representing a faction which has arisen as a result of split in his original political party and such group consists of not less than one-third of the members of such legislature party. The Constitution (Ninety-second Amendment) Act, 2003 amended the Eighth Schedule to the Constitution so as to include Bodo, Dogri, Maithili and Santhali languages in the Schedule.

On the economic front, a landmark legislation was enacted, namely, the Fiscal Responsibility and Budget Management Act, 2003. The legislation has laid down certain fiscal management principles for efficient fiscal management and to bring transparency in fiscal operations of the Central Government. The legislation also provides for laying in each financial year the three statements of fiscal policy, namely, the Medium-term Fiscal Statement, the Fiscal Policy Strategy Statement and the Macro-economic Framework Statement along with the Annual Financial Statement and the Demands for Grants.

The Members of Lok Sabha (Declaration of Assets and Liabilities) Rules, 2004, which have been enacted relate to the members of the Lok Sabha. These were made by my predecessor in exercise of powers conferred upon him by sub-section (3) of Section 75A of the Representation of the People Act, 1951 and laid on the Table of the Lok Sabha on 5 February 2004. As the Thirteenth Lok Sabha was dissolved on 6 February 2004, the Rules were laid afresh on the Table of the House by the Secretary General, Lok Sabha on 10 June 2004. Upon the expiry of stipulated period of 30 days, the Rules came into force with effect from 4 August 2004.

This time, two important Reports,–one on 'Regulation of Zero Hour' and the other on 'Telecasting of Proceedings of the Legislatures' are being presented during the Conference.

As you know, the so-called 'Zero Hour' is a unique Indian parliamentary practice. Through this device, the members, mainly from the Opposition benches, assert their right to raise issues not listed in the agenda but which they feel to be of urgent public importance. Though the 'Zero Hour' has no legal sanctity under the Rules, it has, more or less, become a regular feature of the proceedings of the Lok Sabha as well as the Legislatures in many States in India. It is noteworthy that about one-sixth of the total time of the House is consumed by the 'Zero Hour' daily. In course of time, it has emerged as a useful device for the purpose of ventilating public grievances of urgent nature but in the process, it often leads to commotion in the House which serves no

purpose. Realising its importance and popularity, this issue has been taken up at several Presiding Officers Conferences and also in the Conferences of Secretaries.

All of you may recall that a Committee of Presiding Officers on 'Regulation of Zero Hour' was constituted at our previous Conference held in Mumbai. The Committee have extensively reviewed and made an in-depth study of the procedure followed in the Legislatures across the country. At their fourth and final meeting held at Jammu on 14 November 2003, the Committee finalized their report which is being presented during this Conference for your consideration and adoption.

The second important Report relates to the telecasting of proceedings of the Legislatures. As you are aware, pursuant to the decision arrived at the Presiding Officers' Conference held in Delhi in October 1996, a Committee of Presiding Officers of State Legislatures on Telecasting of the Proceedings of Legislatures was first constituted on 19 October 1996 under the Chairmanship of Shri P.A. Sangma, the then Speaker of the Lok Sabha. Since then, the Committee have been reconstituted nine times, twice under the Chairmanship of the Speaker, Lok Sabha, five times under the Chairmanship of the Speaker, Andhra Pradesh Legislative Assembly and twice under the Chairmanship of the Speaker, West Bengal Legislative Assembly.

The Committee have completed their deliberations, examining various aspects of telecasting of the proceedings of legislative bodies, including funds, manpower, transmission, etc. in detail and have now made a report with their findings, conclusions and recommendations. The Report is being presented to you in this Conference for your consideration and adoption.

I compliment, on behalf of all of you, the Chairmen of both the Committees for their excellent Reports.

As you are aware, the Committee of Presiding Officers to Review the Anti-Defection Law presented their report to this august Conference last year on 5 February 2003 at Mumbai. The Report was adopted by the Conference on the same day. The Committee in their report made several recommendations for removing various lacunae in the Anti-Defection Law. One of the recommendations is that the deciding authority in case of members of the Houses of Parliament or the State Legislatures may be the Election Commission of India or the State Election Commissions and appellate authorities may be the Supreme Court or the concerned High Courts, respectively, The Speaker, Goa Legislative Assembly, also a member of this Committee, did not agree with this

recommendation and gave a note of dissent. Next day, on 6 February 2004, thirteen Presiding Officers addressed a joint letter to my predecessor wherein they requested that "the Report of the Committee on Anti-defection Law submitted to the Conference may kindly be discussed thoroughly, before it is considered for adoption. The Conference may deliberate on the Report in the next Conference in Bihar". This matter was also raised by some Presiding Officers during the Symposium on that day, upon which the then Speaker observed that he would examine this request and take appropriate decision in the matter.

Subsequently, at the meeting of the Standing Committee of Presiding Officers of Legislative Bodies held on 22 December 2003 at New Delhi, after due deliberation it was decided that suggestions received from these Presiding Officers on the Report may be discussed at the next Conference of Presiding Officers. Accordingly, the subject has been listed for discussion.

Friends, the subject for the Conference, this time, is 'Legislative Privileges and Freedom of Press', chosen on demands from some of our State Legislatures and Presiding Officers. The subject is of contemporary relevance and assumes great importance particularly in the light of the controversy arising out of *The Hindu case*. The case relates to the award of imprisonment to six senior journalists of *The Hindu and Murasoli* by the Tamil Nadu Legislative Assembly in a breach of privilege issue. The issue had led to criticism of the decision of the Tamil Nadu Legislative Assembly and there was widespread anger against the award of punishment to the journalists. The journalists have obtained a stay from the Supreme Court and, at present, the case is before a five-judge Constitution Bench of the Supreme Court for their consideration and judgement. Now it is for the learned Constitution Bench to decide the important questions of law involved in the case. Since the matter is in the apex court of the country, it will be wise not to comment on the case at this stage. The subsequent restraint shown by the Tamil Nadu Legislative Assembly averted the impending confrontation. They have withdrawn the Resolution.

We will have opportunities here at this Conference for serious and meaningful discussion by way of sharing our views and experiences with our learned and experienced fellow Presiding Officers. I am sure, our deliberations will be fruitful and we will be able to come out with valuable ideas and positive suggestions.

While looking at the relationship of the Press with the Legislatures, one has to go into the question of legislative privileges. As you know,

parliamentary or legislative privileges are certain rights enjoyed by each House collectively and by members of each House individually, without which they cannot discharge their functions, These are the pre-requisites for the smooth and effective functioning of a democracy. Provisions relating to the powers, privileges and immunities of either House of the Parliament and the State Legislatures and of its members and Committees are enshrined in articles 105 and 194 of the Constitution. The fundamental objective of the privileges is to safeguard the freedom, the authority and the dignity of the Parliament and other legislative bodies and allow the members to perform their duties without any let or hindrance. They are available to individual members only insofar as they are necessary for the House to perform its functions freely. However, they do not exempt the members from the obligations to the society which apply to other citizens as well.

But granting the privileges to the Legislatures is not enough. It is equally and vitally important to protect the sanctity of these rights. Being the guardian of its own privileges, each House of the Legislature is competent to punish a person found guilty of a breach of privilege or contempt of the House either by reprimand or admonition or by imprisonment for a specified period. The courts of law in the country have also recognised this fact in their various learned judgements that the House is the sole authority to judge as to whether or not there has been a breach of privilege of the House in a particular case. This power of the House is the 'keystone' of parliamentary privileges. It is this power that gives reality to the privileges of the Legislature and emphasizes its sovereign character so far as the protection of its rights and the maintenance of its dignity and authority are concerned.

Emphasizing the importance of the freedom of Press, the Committee of Privilege of the Sixth Lok Sabha in their Fourth Report (1979) had observed that "the Committee are conscious that the freedom of the Press is an integral part of the fundamental right of the freedom of speech and expression guaranteed to all citizens under article 19(1)(a) of the Constitution. The Committee consider it important that in a parliamentary systems the Press should enjoy complete freedom to report the proceedings of the Parliament fairly and faithfully. If however, freedom of the Press is exercised *mala fide*, it is the duty of the Parliament to intervene in such cases. At the same time, the Committee are of the view that parliamentary privileges should, in no way, fetter or discourage the free expression of opinion or fair comments."

My fellow Presiding officers, the success, effectiveness and prestige of any democratic institution rests on its orderly functioning and the

extent to which it adheres to the standards of discipline, dignity and decorum for discharging its functions. In recent years, we have witnessed the stalling of the proceedings of the House by raising politically sensitive and controversial issues, even though they do not form part of the listed business. As a result, many hours and sometimes many days of the House are lost. In such circumstances, the task of the Presiding Officers becomes complicated, and usually, they find it very difficult to regulate the business of the House. To ensure smooth functioning of the House and to preserve its grace and dignity, you have to decide according to the situation at the moment and exercise your authority with prudence and wisdom. In the era of coalition politics, your role demands of you to skillfully handle the issues on the floor of the House.

Before I conclude, I would like to express our deep appreciation and hearty thanks to our hosts, the Honourable Chief Minister of West Bengal, Shri Buddhadeb Bhattacharjee, Honourable Speaker of West Bengal Legislative Assembly, Shri Hashim Abdul Halim; Honourable Deputy Speaker of West Bengal Legislative Assembly, Shri Kripa Sindhu Saha; the Principal Secretary and his dedicated team of Officers of the West Bengal Legislature Secretariat; the Government of West Bengal and all those associated with the planning and organising of this Conference here, and for their gracious hospitality.

I have no doubt that we will have very fruitful deliberations at this Conference. With these words, it is my pleasure to inaugurate this Conference. I am sure that we shall have a very successful Conference.

Thank you.

ADDRESS BY THE SPEAKER, LOK SABHA, SHRI SOMNATH CHATTERJEE AT THE SYMPOSIUM ON "THE RELATIONSHIP BETWEEN THE LEGISLATURE AND THE JUDICIARY"

A Symposium on "The Relationship between the Legislature and the Judiciary" was held at Kolkata on 11 October 2004, after the Sixty-seventh Conference of Presiding Officers of Legislative Bodies in India.

We reproduce below the text of the Address delivered by the Speaker, Lok Sabha, Shri Somnath Chatterjee at the Symposium.

--Editor

ADDRESS BY THE SPEAKER, LOK SABHA, SHRI SOMNATH CHATTERJEE

Honourable Chief Minister of West Bengal, Shri Buddhadeb Bhattacharjee; Honourable Speaker, West Bengal Legislative Assembly, Shri Hashim Abdul Halim; Honourable Deputy Chairman, Rajya Sabha, Shri K. Rahman Khan; Honourable Deputy Speaker, Lok Sabha, Sardar Charnjit Singh Atwal; Honourable Presiding Officers; Honourable Ministers and Legislators; Secretaries General; Secretaries of Legislative bodies; Ladies and Gentlemen:

It is a great privilege and honour for me to address this august gathering. I warmly welcome you all to the Symposium on 'The Relationship between the Legislature and the Judiciary.'

The theme of today's Symposium is of crucial importance for the proper functioning of our democratic set-up. The issue has been discussed on several occasions in one context or another at the forum of Presiding Officers' Conference. I am glad that yet another opportunity has come to us to deliberate on the issue as it is essential to keep in mind the importance of the concept of separation of powers, which is one of the basic features of our Constitution, in the discharge of the duties and functions of the Legislatures as well as other organs of the State.

We reasonably take pride that we are the largest democracy in the world. Parliamentary Democracy, which is the basic foundation to our constitutional set-up, presupposes the sovereignty of the people. In the

exercise of sovereign power, the people of India have given to themselves the Constitution, which constitutes India into a Sovereign, Socialist, Secular and Democratic Republic to secure to the citizens of the country Justice, Liberty, Equality and Fraternity.

As a pre-requisite for a functional parliamentary democracy, the Constitution of India has provided for separation of powers for securing the basic rights of the people and has consciously introduced a scheme of checks and balances in the exercise of powers, with the very important object of ensuring that power is not concentrated in any particular organ, which can assume undesirable proportion. Functional distribution of powers amongst various organs of the Government *viz.*, the Executive, the Legislature and the Judiciary is the characteristic feature of parliamentary democracy and its purpose essentially is to save the people from arbitrary action and oppressive rule.

The fundamental concept of democracy is that it is antithetical to arbitrariness and despotism and is based on the principles of accountability. Accountability provides the life blood to any democratic set-up. Any authority in a democracy, which is not ultimately accountable to the people is prone to assume unregulated and uncontrolled power, based on its own predilections, as it assumes to be not answerable to anybody else for its action.

We should bear in mind that the Constitution, while subjecting all the organs of the State to its overriding authority, did not give any unchecked power to any organ. The three principal organs are expected to work in harmony, each respecting the authority of the other and without trespassing into the areas assigned to any other. Largely, the arrangement has worked smoothly in India, except for the occasional dispute centering around issues and subjects not so well defined by the Constitution. The fact that even in dealing with such instances, the supremacy of the Constitution has prevailed speaks of the soundness of the basic scheme of things provided for in the Constitution.

To the extent that even the Legislature has to function within the bounds of a written Constitution, with its authority hedged in by the scheme of distribution of powers between the different organs and a justiciable code of fundamental rights and its constituent and the law-making powers being subject to the test of their conformity to the Constitution, to be decided by an independent Judiciary, describes the setting in which our Legislature exists *vis-a-vis* the Judiciary. The founding fathers of our Constitution had visualized a harmonious co-existence

and smooth functioning of these organs in the interest of effective governance.

According to our Constitution, both the Legislature and the Judiciary have well defined areas of activities and they are supreme in their own spheres. Nevertheless, the fact remains that being the supreme representative of the people as well as the highest legislative body, the Parliament has been accorded a pre-eminent position in our constitutional and political set-up. It has the necessary authority for enacting new laws and for amending the existing laws to suit the changing needs and aspirations of the people as are judged by the people's representatives. An Ordinance, which is a law made by Executive, can remain effective beyond its limited period only if it is made a statute passed by the Parliament, which shows that all laws must have the assent of the Legislature.

At the same time, the framers of the Constitution had taken due care to provide for an independent and impartial Judiciary as the custodian of the rights of the citizens. All the legislations–whether Union, State or delegated–have been made subject to the doctrine of *ultra vires* and judicial review. The Judiciary has the mandate to interpret the Constitution and the laws. But the scope of the Judiciary is limited to see whether the impugned legislation falls within the limits of the power conferred and whether it contravenes any of the articles of the Constitution or is inconsistent with any other existing law. The Courts are not to enter into a discussion nor can decide what the law should be, as they can not prescribe how the Legislatures or even the Executive should function in their respective areas.

The Parliament is also vested with the constituent power to amend any of the provisions of the Constitution but without altering the basic structure or framework of the Constitution. The final say as to what the basic structure is, however, rests with the Supreme Court.

There is no denying the fact that balancing and respecting each other's power is crucial for the smooth functioning of the system envisaged by the Constitution. An attempt to disturb this balance would certainly lead to controversies affecting the country's governance. There should be well established norms and conventions which guide the interface between the Legislature and the Judiciary and both should act with self-restraint and not seek to upset the balance of power.

You are well aware that subject to the provisions of the Constitution, the Parliament and the State Legislatures are empowered to regulate their own procedures. Under articles 122 and 212, the validity of any

proceedings of the Houses cannot be questioned in a Court of law on the ground of any alleged irregularity of procedure. Moreover, under articles 105 and 194, the Constitution guarantees immunity from proceedings in any court in respect of 'anything' said or any vote given in the House or any committee thereof.

Our Constitution contains specific provisions to ensure that the Judiciary remains independent of the influence of others. Among other things, the method of appointment of Judges, their tenure, salary, staff, etc. have specifically been provided for in the Constitution, which have been interpreted by the Courts to confer final authority on the Judiciary to decide judicial appointments on the ground of securing its independence. It has specifically been provided that the conduct of a Judge of the Supreme Court or of a High Court in the discharge of his duties cannot be discussed in the Parliament. The only exception being a substantive motion required for presenting an address to the President for removal of a Judge. Subject to the decision of the Presiding Officers, matters which are *sub judice*, are also not discussed in the Legislatures by way of self-imposed restriction.

Although both the Legislature and the Judiciary are the creatures of the Constitution working within their respective spheres, yet issues have arisen from time to time, which seem to have detracted from the usual position of complementary relationship between the Legislature and the Judiciary. Most of these are mainly related to the decisions by the Presiding Officers under the Anti-Defection Law and to the field of parliamentary privileges.

The experience of nearly two decades shows that the power of the Presiding Officers to decide the cases of disqualification on the basis of defection has been questioned in the courts on several grounds which has disturbed the even tempo in the relationship between the Legislature and the Judiciary. Reference may be made to the case of Kihota Hollohan *vs* Zachilhu and others where the honourable Supreme Court by its judgement given on 12 November, 1991, upheld the legality and constitutionality of all the provisions of the Tenth Schedule of the Constitution dealing with the Anti-Defection measures except para 7 which provides that no Court shall have any jurisdiction in respect of any matter connected with the disqualification of a member of a House under the Tenth Schedule. The Court held that paragraph 7 was *ultra vires* of the Constitution, as in its view the provision affected the operation and effect of articles 136, 226 and 227 of the Constitution and should have been ratified by the State Legislatures in accordance with the proviso to clause (2) of article 368 of the Constitution. The Court also

declared that while exercising its powers under the anti-defection law, the Speaker/Chairman acts as an ordinary Tribunal adjudicating rights and obligations of members and their decisions in that capacity are amenable to judicial review, though the Speaker is the Custodian of the rights and powers of the House and exercises the powers in his capacity as the Speaker, representing the House as a whole.

You are aware of the details and the circumstances leading to the case and the subsequent developments. The Background Paper circulated by the Conference Secretariat has given all the details and has already referred to various issues. In this connection, one cannot but recall the situation faced by a Presiding Officer of one of the North Eastern States who was hauled up for contempt of Court.

Another area of concern is the powers, privileges and immunities of the Legislature *vis-a-vis* the Judiciary. The question whether the powers and privileges conferred by articles 105 and 194 of the Constitution are beyond judicial scrutiny, has often been discussed at various Presiding Officers' conferences. The matter came up before the Presiding Officers' Conference of 1965, after the opinion of the Supreme Court on Special Reference No.1 of 1964 regarding the conflict between the Uttar Pradesh Vidhan Sabha and the Allahabad High Court was tendered. The Court held that the powers and privileges conferred on State Legislatures under article 194(3) are subject to the Fundamental Rights and that the Legislatures do not have the privilege or power to the effect that their general warrants should be held to be conclusive. The matter once again came into focus in 1984 in the wake of the issues arising out of the two privilege cases relating to the Andhra Pradesh Legislative Council and the Kerala Legislative Assembly. As the privileges of the Legislatures were involved, an Emergent Conference of Presiding Officers was convened on 25 April, 1984. A resolution was unanimously passed at the Conference upholding the exclusive jurisdiction of the Legislatures to decide all the matters relating to the privileges of the House and its members without any interference by the Court of law or any other authority.

I feel, and I believe you will agree with me that, we have rightly been holding the view that the framers of the Constitution intended to provide the Legislatures in India with exclusive jurisdiction to decide all matters relating to the privileges without any interference from the Court of law or any other authority. In fact, what we need is, to place the position beyond all shadow of doubt either through an amendment to the Constitution or through a law enacted by the Parliament in pursuance of the authority conferred on it by article 105(3) of our Constitution. It is, however, for the Legislatures to decide upon the course they wish to

take. We can certainly use this opportunity to deliberate upon what exactly needs to be done in this direction.

Of late, the issue of 'judicial activism' is attracting the attention of the Constitutional experts, legal luminaries and others. Many parliamentarians and legislators have expressed the view that the Judiciary has, at times, been found transgressing its jurisdiction and entering into the domain of the Executive and the Legislature. The proponents of judicial activism take it as a normal assertion of judicial power, as a part of the judicial review and the necessary in-house mechanism to uphold the Rule of Law and the principles of natural justice in the country.

But the moot question here is : What has actually led to the phenomenon of judicial activism? What or whose problems does the Judiciary seek to resolve as part of judicial activism. No doubt, it is essential to have a proper understanding among the three organs of the State, while discharging different responsibilities. They are meant to be active within their own limits, and through their individual functioning they are expected to reinforce each other. If they overstep their assigned limits or display trends towards unexpected exercise of what they assume to be their power, each one of them suffers and in the process the ultimate casualty is the larger national interest.

What is important to bear in mind is that there is a symbiotic relationship between different institutions of Government in a democracy. If we do anything that will undermine the effectiveness of any of these institutions, it will have its adverse impact on the system as a whole, ultimately undermining the effectiveness of the State itself. It is, therefore, imperative for all of us to work together creating conditions for the harmonious functioning of all the institutions, keeping the larger public good in view. Looked at from this angle, there is no reason why there should be any tension among the organs while performing their designated tasks and within their specified area, for the goals of all the three are the same, which is: achieving the objectives of the Constitution for the benefit of the society.

The Legislature, the Executive and the Judiciary owe equal responsibility for strengthening the edifice of a just and fair system. Their roles are supplementary and complementary to each other. They are not envisaged to be competing centres of power. Each has to show respect for the specific role of the other in the governance of the country and ultimately towards the well being of the real masters–the people and should not encroach into each others territory on their own subjective interpretation as to what their powers are. There is no superior organ *inter se*. As the

custodians of the interests of the entire nation, they are expected to observe very high standards of integrity, probity and rectitude. The ethical values that permeate the three organs of the State have a deep and lasting impact on the character, credibility and creativity at different levels of the society. They have to work as an integrating force protecting as well as disciplining the diverse interests and forces of the society in mutual respect and civility.

As already stated and to summarise, all the organs of the State are guided by and owe their powers to the Constitutional provisions. Our Constitution provides for and contemplates harmonious relationship for each organ operating within its own territory. Supremacy of the Parliament in its own sphere is as the Constitution provides and it does not depend upon any concession by any authority nor upon the interpretation by any authority as to what it means. Parliament represents the sovereign will of the people and the people are the masters and they act through their chosen representatives in the Parliament. The basic postulate of parliamentary democracy, where the Parliament represents the people as the highest representative forum of the country is that it is not amenable to the jurisdiction of any other authority. Except as expressly permitted by the Constitution, which I have mentioned already, no authority should assume the power to question or nullify Parliament's decision of action as per the provision of the Constitution. Exercise of power by any authority should not disturb the Constitutional balance and create tension in the body politic and uncertainty amongst the people.

I am sure, these issues will be discussed in a comprehensive manner so that deliberations here will not only help the parliamentarians but all the authorities whose powers depend on the Constitutional provisions.

Thank you

PARLIAMENTARY EVENTS AND ACTIVITIES

CONFERENCES AND SYMPOSIA

The 6th Workshop of Parliamentary Scholars and Parliamentarians at Oxfordshire, UK: The 6th Workshop of Parliamentary Scholars and Parliamentarians was held at Wroxton College, Oxfordshire, UK on 31 July and 1 August 2004. The Workshop was attended by Sarvashri Rupchand Pal and V. Kishore Chandra S. Deo, both members of Parliament.

The following were the main themes of the Workshop:

- Nature of Parliamentary Representation;
- The Role of Committees;
- The Power of the Purse;
- Career paths; and
- Constitutional and Legislative Development in new Democracies.

In the Workshop, Shri Rupchand Pal presented a country-specific paper on the theme 'The Role of Committees' and Shri V. Kishore Chandra S. Deo presented a country-specific paper on the theme 'The Power of the Purse'. Besides their presentations, the Delegates also took part in the deliberations on other themes of the Workshop.

The 11th General Assembly of the Asia Pacific Parliamentarians Conference on Environment and Development (APPCED) in Korolevu Island, Fiji: The 11th General Assembly of the Asia Pacific Parliamentarians Conference on Environment and Development (APPCED) was held in Korolevu Island, Fiji, from 17 to 20 August 2004.

The Indian Parliamentary Delegation to the Assembly was led by Prof. Saif-ud-Din Soz, MP. The other members of the Delegation were: Sarvashri Hannan Mollah, Lalit Kishore Chaturvedi, Ajay Maken, Dr. Sebastian Paul and Smt. Maneka Gandhi, all members of Parliament. Shri Deepak Mahna, Deputy Secretary, Lok Sabha Secretariat was the Secretary to the Delegation.

The Assembly, which met on the General theme: "Large Ocean-Vulnerable Small Islands: Addressing Barriers to Sustainable Development", dwelt on the following sub-themes: 'Sustaining Island Ecosystem'; 'Small Islands and Tourism: Finding a Balance'; and 'Trade and Environment'.

The General Assembly at the end adopted the 'Korolevu Declaration' which mainly called upon developed countries to ratify the Kyoto Protocol on climatic changes and urged all countries to take necessary steps for the conservation of coral reefs and mangroves and measures to check further expansion of dead zones in the Ocean, etc.

The 7th Session of the Steering Committee of the Parliamentary Conference on the WTO regime in Geneva, Switzerland: The Seventh Session of the Steering Committee of the Parliamentary Conference on the WTO regime was held in Geneva, Switzerland on 6 and 7 September 2004. Shri Rupchand Pal, MP represented India on the Steering Committee.

The members of the Steering Committee finalized the agenda of the next Session of the Parliamentary Conference on the WTO regime scheduled for November 2004 in Brussels, in the light of the proposals received by the IPU Secretariat and also considered practical arrangements for the Session, including preparation of its draft outcome document. The members of the Steering Committee also considered the draft rules of procedure of the Parliamentary Conference on the WTO.

The 111th Assembly of the Inter-Parliamentary Union at Geneva, Switzerland: The 111th Assembly of the Inter-Parliamentary Union took place in Geneva, Switzerland from 28 September to 1 October 2004.

The Indian Parliamentary Delegation to this Assembly was led by the Speaker, Lok Sabha, Shri Somnath Chatterjee. The other members of the Delegation were: the Minister of State for Personnel, Public Grievances and Pensions and Parliamentary Affairs, Shri Suresh Pachouri; Sarvashri V. Kishore Chandra S. Deo, Rajendrasinh Rana, Saleem Iqbal Shervani, Mohammad Salim and Smt. Sushma Swaraj, all members of Parliament; the Secretary-General, Lok Sabha, Shri G.C. Malhotra and the Secretary-General, Rajya Sabha, Dr. Yogendra Narain, both members of the Association of Secretaries-General of Parliaments. Shri John Joseph, Additional Secretary, Lok Sabha Secretariat was the Secretary to the Delegation.

The Assembly mainly discussed the following subjects and adopted resolutions thereon:

- The Role of Parliaments in Strengthening Multilateral Regimes for Non-proliferation of Weapons and for Disarmament, in the light of new Security Challenges;
- The Role of Parliaments in preserving Biodiversity;
- Beijing +10: An Evaluation from a Parliamentary Perspective;
- The Alarming Situation in Iraq and the Need for Parliamentary Action to Contribute to Restoring Peace and Security in that Country (Adopted as the emergency item).

Shri Mohammad Salim, MP, represented India on the Drafting Committee of the first Standing Committee on 'Peace and International Security' which drafted the resolution on 'The Role of Parliaments in Strengthening Multilateral Regimes for Non-Proliferation of Weapons and for Disarmament, in the light of New Security Challenges'.

CPA Study Group on "Access to Information" in Accra, Ghana: The Parliament of Ghana, together with the CPA Secretariat, London and the World Bank Institute held a Study Group on "Access to Information" in Accra, Ghana from 4 to 10 July 2004. Shri Bhartruhari Mahtab, MP, attended the Study Group as a delegate of the India Union Branch of the CPA.

The following topics were discussed in the Study Group:

- Overview of Freedom of Information (FOI): Principles and Existing Legislation;
- Implementing FOI Principles;
- Administration and Oversight of FOI Regimes;
- Parliament and Access to Information.

Call on the Lok Sabha Speaker by the CPA Delegation: The Speaker, West Bengal Legislative Assembly and Acting Chairman, Commonwealth Parliamentary Association (CPA), Shri Hashim Abdul Halim; the Secretary-General, CPA, Mr. Denis Marshall; and the Director, Finance and Administration, CPA Secretariat, London, Mr. Mahbub Alam, visited New Delhi from 13 to 14 August 2004. The Delegation called on the Speaker, Lok Sabha, Shri Somnath Chatterjee on 13 August 2004 and discussed India's role in the CPA.

The 50th Commonwealth Parliamentary Conference, Canada: The

50th Commonwealth Parliamentary Conference was held in Quebec City and Toronto in Canada from 1 to 9 September 2004. The Indian Delegation to the Conference was led by the Speaker, Lok Sabha, Shri Somnath Chatterjee. The other members of the Delegation were: the Deputy Chairman, Rajya Sabha, Shri K. Rahman Khan; the Deputy Speaker, Lok Sabha, Sardar Charnjit Singh Atwal; Shri Ravi Shankar Prasad, MP (Rajya Sabha); Shri Kirip Chaliha, MP (Lok Sabha); and the Secretary-General, Lok Sabha, Shri G.C. Malhotra. Smt. Krishna Tirath, MP (Lok Sabha) attended the Conference as member of the Commonwealth Women Parliamentarians Steering Committee. Sarvashri Veerendra Kumar, MP (Lok Sabha); Vijayendra Pal Singh, MP (Lok Sabha); and the Secretary-General, Rajya Sabha, Dr. Yogendra Narain also attended the Conference as Observers. Shri P.D.T. Achary, Additional Secretary, Lok Sabha Secretariat, was the Secretary to the Delegation.

The Delegation also included the following dignitaries from the State CPA Branches in India: the Speaker, Andhra Pradesh Legislative Assembly, Shri K.R. Suresh Reddy; the Speaker, Assam Legislative Assembly, Shri Prithibi Majhi; the Speaker, Chhattisgarh Legislative Assembly, Shri Prem Prakash Pandey; the Speaker, Goa Legislative Assembly, Shri Vishwas R. Satarkar; the Speaker, Haryana Legislative Assembly, Shri Satbir Singh Kadian; the Speaker, Himachal Pradesh Legislative Assembly, Shri G.R. Musaffir; the Chairman, Jammu and Kashmir Legislative Council and Regional Representative of Asia Region to the CPA Executive Committee, Shri Abdul Rashid Dar; the Deputy Speaker, Jammu and Kashmir Legislative Assembly, Shri Mohd. Akbar Lone; the Speaker, Karnataka Legislative Assembly, Shri Krishna; the Speaker, Kerala Legislative Assembly, Shri Vakkom Purushothaman; the Deputy Chairman, Maharashtra Legislative Council, Shri Vasant Davkhare; the Speaker, Manipur Legislative Assembly, Shri T.N. Haokip; the Speaker, Meghalaya Legislative Assembly, Shri Martin M. Danggo; the Speaker, Mizoram Legislative Assembly, Shri Lalchamliana; the Speaker, Nagaland Legislative Assembly, Shri Kiyanilie Peseyie; the Speaker, Orissa Legislative Assembly, Shri Maheswar Mohanty; the Speaker, Punjab Legislative Assembly, Dr. Kewal Krishan; the Speaker, Rajasthan Legislative Assembly, Smt. Sumitra Singh; the Deputy Speaker, Sikkim Legislative Assembly, Shri Mingona Tshering Sherpa; the Speaker, Tamil Nadu Legislative Assembly, Dr. K. Kalimuthu; the Speaker, Tripura Legislative Assembly, Shri R.C. Debnath; the Speaker, Uttaranchal Legislative Assembly, Shri Yashpal Arya; the Speaker, Uttar Pradesh Legislative Assembly, Shri Mata Prasad Pandey; the Speaker,

West Bengal Legislative Assembly and Regional Representative of Asia Region to the CPA Executive Committee, Shri Hashim Abdul Halim; Shri Tapan Hore, member, West Bengal Legislative Assembly; the Speaker, Delhi Legislative Assembly, Ch. Prem Singh; and the Speaker, Pondicherry Legislative Assembly, Shri M.D.R. Ramachandharan.

Shri R.P. Pandey, Principal Secretary, Uttar Pradesh Legislative Assembly; Shri Thokchom Chourajit Singh, Secretary, Manipur Legislative Assembly; Shri T. Rajanna, Secretary, Karnataka Legislative Assembly; and Shri H. R. Poonia, Secretary, Rajasthan Legislative Assembly were the four Secretaries from the State Branches who attended the Conference.

The theme of the Conference was "Responsibilities and Rights of People and Parliaments in a Global Community". During the Conference, the following topics were discussed in the Workshops:

- Commonwealth Standards for Democratic Legislatures and the Commonwealth Principles on the Accountability of and Relationship between the three Branches of Government;
- An integrated Strategy to Combat Racism, Discrimination, Xenophobia and related Intolerance;
- Successful Strategies in Prevention, Management and Treatment of the AIDS Pandemic;
- Parliament and Civil Society: working together for Poverty Reduction;
- Parliament and the Right to Know; and
- Protecting Public Health in the Global Village

During the Conference, the Speaker, Lok Sabha and Regional Representative, Shri Somnath Chatterjee was the lead speaker on the topic "Parliament and the Right to Know". The Final Plenary discussed the subject "The Trend towards Supra-National Parliaments—Should every Region have one?".

A meeting of the CPA Executive Committee was held in Ottawa from 29 to 31 August 2004. The Deputy Speaker, Lok Sabha, Sardar Charnjit Singh Atwal, attended the meeting as alternate member in place of the Speaker, Lok Sabha who is a member of the Executive Committee.

Election of Regional Representatives from Asia Region to the CPA Executive Committee: The Speaker, Lok Sabha, Shri Somnath

Chatterjee and the Speaker, Maharashtra Legislative Assembly, Shri Arunlal Govardhandas Gujarathi, were elected Regional Representatives of the Asia Region to the CPA Executive Committee for the period 2004-2007.

Meeting of the Society of Clerks-at-the-Table at the 50th Commonwealth Parliamentary Conference in Canada: The 41st General Meeting of the Society of Clerks-at-the-Table was held on 5 September 2004. The Secretary-General, Lok Sabha, Shri G.C. Malhotra presented a paper on the subject "Consulting Public Opinion in the Legislative Process". The Secretary-General, Rajya Sabha, Dr. Yogendra Narain and the Secretary, Himachal Pradesh Legislative Assembly, Shri J.R. Gazta also attended the meeting.

Constitution of the CPA India Region: The Commonwealth Parliamentary Association had eight Regions prior to 7 September 2004. Bangladesh, India and its 30 State CPA Branches, Maldives, Pakistan and its four State CPA Branches, and Sri Lanka were part of the erstwhile Asia Region of the CPA.

The CPA General Assembly, at its meeting held in Toronto, Canada on 7 September 2004, decided to make India as a separate Region of the CPA. With this development, India has now become a separate Region of the CPA. The Indian Union and all the 30 State CPA Branches of India are now part of the India Region of the CPA.

The India Region now has three Regional Representatives in the CPA Executive Committee. At present, the Speaker, Lok Sabha, Shri Somnath Chatterjee and the Chairman, Jammu and Kashmir Legislative Council, Shri Abdul Rashid Dar are the Regional Representatives of the India Region to the CPA Executive Committee. One post of Regional Representative is presently lying vacant since the Speaker, Maharashtra Legislative Assembly, Shri Arunlal Govardhandas Gujarathi lost the Assembly election recently held in Maharashtra.

Exhibition on "Indian Parliament at Work": An Exhibition titled "Indian Parliament at Work" was organized by the Parliamentary Museum and Archives, Lok Sabha Secretariat, in the Parliament Library Building from 18 to 27 August 2004. The Exhibition was inaugurated by the Speaker, Lok Sabha, Shri Somnath Chatterjee on 18 August 2004. The Exhibition was organized as part of the Orientation Programme for the newly elected members of the Fourteenth Lok Sabha. The Exhibition laid emphasis on the functions and activities of the Indian Parliament

from the First to the Fourteenth Lok Sabha with the help of photographs, diagrams, charts, press-headlines, quotations/write-ups, etc. Among the interesting features of the Exhibition were also the display of the new information technology devices like Audio-video facilities, Computer system, etc. now in use in the Lok Sabha Secretariat. A translite and a scroll depicting the visuals of selected images of dignitaries and current events were also on display.

The Exhibition was kept open for viewing of members and others from 0830 to 1800 hours till 27 August 2004.

BIRTH ANNIVERSARIES OF NATIONAL LEADERS

On the birth anniversaries of national leaders whose portraits adorn the Central Hall of Parliament House, functions are organised under the auspices of the Indian Parliamentary Group to pay tributes to the leaders. Booklets containing profiles of these leaders, prepared by the Library and Reference, Research, Documentation and Information Service (LARRDIS) of the Lok Sabha Secretariat, are brought out on the occasion.

The birth anniversaries of the following leaders were celebrated during the period 1 July to 30 September 2004.

Dr. Syama Prasad Mookerjee: On the occasion of the birth anniversary of Dr. Syama Prasad Mookerjee, a function was held on 6 July 2004. The Speaker, Lok Sabha, Shri Somnath Chatterjee; Shri Atal Bihari Vajpayee, Chairman, National Democratic Alliance (NDA); the Leader of Opposition in the Lok Sabha, Shri L.K. Advani; the Leader of Opposition in the Rajya Sabha, Shri Jaswant Singh; the Deputy Chairman, Rajya Sabha, Dr.(Smt.) Najma Heptulla; the Deputy Speaker, Lok Sabha, Sardar Charnjit Singh Atwal; the Minister of State in the Ministry of Health and Family Welfare, Smt. Panabaka Lakshmi; members of Parliament; and former members of Parliament and others paid floral tributes.

Lokmanya Bal Gangadhar Tilak: On the occasion of the birth anniversary of Lokmanya Bal Gangadhar Tilak, a function was held on 23 July 2004. The Speaker, Lok Sabha, Shri Somnath Chatterjee; the Leader of the House and Minister of Defence, Shri Pranab Mukherjee; the Leader of Opposition in the Lok Sabha, Shri L.K. Advani; the Leader of Opposition in the Rajya Sabha, Shri Jaswant Singh; the Deputy Speaker, Lok Sabha, Sardar Charnjit Singh Atwal; the Minister of State in the Ministry of Defence and Minister of State in the Ministry of

Parliamentary Affairs, Shri B.K. Handique; members of Parliament; and former members of Parliament and others paid floral tributes.

Shri Rajiv Gandhi: On the occasion of the birth anniversary of Shri Rajiv Gandhi, former Prime Minister of India, a function was held on 20 August 2004. The Prime Minister, Dr. Manmohan Singh; the Speaker, Lok Sabha, Shri Somnath Chatterjee; the Chairperson, United Progressive Alliance, Smt. Sonia Gandhi; the Leader of the House and Minister of Defence, Shri Pranab Mukherjee; the Leader of Opposition in the Lok Sabha, Shri L.K. Advani, the Leader of Opposition in the Rajya Sabha, Shri Jaswant Singh; the Minister of Human Resource Development, Shri Arjun Singh; the Minister of Agriculture and Minister of Consumer Affairs, Food and Public Distribution; Shri Sharad Pawar; the Minister of Railways, Shri Lalu Prasad; the Minister of Home Affairs, Shri Shivraj V. Patil; the Minister of Parliamentary Affairs and Minister of Urban Development, Shri Ghulam Nabi Azad; the Minister of Information and Broadcasting and Minister of Culture, Shri S. Jaipal Reddy; the Minister of Labour and Employment, Shri Sis Ram Ola; the Minister of Small Scale Industries and Minister of Agro and Rural Industries, Shri Mahavir Prasad; the Minister of External Affairs, Shri K. Natwar Singh; the Minister of Law and Justice, Shri H.R. Bhardwaj; the Minister of Power, Shri P.M. Sayeed; the Minister of Sports, Shri Sunil Dutt; the Minister of Social Justice and Empowerment, Smt. Mejra Kumar; the Deputy Chairman, Rajya Sabha, Shri K. Rahman Khan; the Deputy Speaker, Lok Sabha, Sardar Charnjit Singh Atwal; the Minister of State (Independent Charge) of the Ministry of Heavy Industries and Public Enterprises, Shri Sontosh Mohan Dev; the Minister of State (Independent Charge) of the Ministry of Tourism, Smt. Renuka Chowdhury; the Minister of State (Independent Charge) of the Ministry of Science and Technology and the Minister of State (Independent Charge) of the Department of Ocean Development, Shri Kapil Sibal; the Minister of State (Independent Charge) of the Ministry of Urban Employment and Poverty Alleviation, Kumari Selja; the Minister of State (Independent Charge) of the Ministry of Civil Aviation, Shri Praful Patel; the Minister of State in the Ministry of Defence and Minister of State in the Ministry of Parliamentary Affairs, Shri B.K. Handique; the Minister of State in the Ministry of Health and Family Welfare, Smt. Panabaka Lakshmi; the Minister of State in the Ministry of Road Transport and Highways, Shri K.H. Muniyappa; the Minister of State in the Ministry of Home Affairs, Shri Shriprakash Jaiswal; the Minister of State in the Prime Minister's Office, Shri Prithviraj Chavan; members of Parliament; and former members of Parliament and others paid floral tributes.

Dadabhai Naoroji: On the occasion of the birth anniversary of Dadabhai Naoroji, a function was held on 4 September 2004. The Leader of Opposition in the Lok Sabha, Shri L.K. Advani; the Minister of Parliamentary Affairs and Minister of Urban Development, Shri Ghulam Nabi Azad; members of Parliament; and former members of Parliament and others paid floral tributes.

EXCHANGE OF PARLIAMENTARY DELEGATIONS

FOREIGN PARLIAMENTARY DELEGATION VISITING INDIA

Thailand: A 10-member Parliamentary Delegation from Thailand led by the Speaker of the House of Representatives and President of the National Assembly, Mr. Uthai Pimchaichon visited India from 11 to 18 July 2004.

On 12 July 2004, the Delegation called on the Speaker, Lok Sabha, Shri Somnath Chatterjee and also had a meeting with the Minister of External Affairs, Shri K. Natwar Singh. The Speaker, Lok Sabha, Shri Somnath Chatterjee hosted a dinner in honour of the Delegation the same evening.

On 13 July 2004, the Delegation called on the President of India, Dr. A.P.J. Abdul Kalam and the Vice-President of India and Chairman, Rajya Sabha, Shri Bhairon Singh Shekhawat and had a meeting with the Minister of Parliamentary Affairs and Urban Development, Shri Ghulam Nabi Azad.

Besides Delhi, the Delegation visited Agra, Gaya, Kolkata and Varanasi.

BUREAU OF PARLIAMENTARY STUDIES AND TRAINING

During the period 1 July to 30 September 2004, the Bureau of Parliamentary Studies and Training (BPST) organised the following courses/programmes:

Guided tour for newly elected members of Fourteenth Lok Sabha: Guided tours of Parliament House Complex were conducted for the newly elected members of the Fourteenth Lok Sabha on 16 July and 23 July 2004. Seventy-five members of the 14th Lok Sabha joined the tour.

Orientation Programmes: (i) *Orientation Programme for new members of the Fourteenth Lok Sabha:* An Orientation Programme for the new members of the Fourteenth Lok Sabha was organised from 18 to

27 August 2004. The Programme was inaugurated by the Speaker, Lok Sabha, Shri Somnath Chatterjee on 18 August 2004. The Deputy Speaker, Lok Sabha, Sardar Charnjit Singh Atwal and Shri Madhukar Sirpotdar, the then Hony. Advisor (BPST) also addressed the members during the Inaugural Session. The participants were addressed on different themes by the Union Minister of Defence, Shri Pranab Mukherjee; the Union Minister of State (Independent Charge) of the Ministry of Statistics & Programme Implementation, Shri Oscar Fernandes; the Chairperson, Standing Committee on Home Affairs, Smt. Sushma Swaraj; the Chairman, Committee on Finance, Maj. Gen. (Retd.) B.C. Khanduri (AVSM); the Chairman, Committee of Privileges, Shri Pawan Kumar Bansal; and Shri P.A. Sangma, MP and former Speaker, Lok Sabha. A total of 146 members registered for the programme.

(ii) *Orientation Programme for the members of the Mizoram and Sikkim Legislative Assemblies:* An Orientation Programme for the members of the Mizoram and Sikkim Legislative Assemblies was organised from 28 to 30 September 2004 by BPST in the Parliament Library Building, New Delhi.

The Programme was inaugurated by Shri Rabi Ray, former Speaker, Lok Sabha on 28 September 2004. The Union Minister of Defence, Shri Pranab Mukherjee; the Chairman, Committee of Privileges, Shri Pawan Kumar Bansal; the Chairman, Committee on Public Undertakings, Shri Rupchand Pal; Shri Eduardo Faleiro, MP and former Union Minister; Shri M.A. Kharabela Swain, MP and Dr. L.M. Singhvi, former MP addressed the members on different subjects.

The Programme was attended by 16 members of the Mizoram Legislative Assembly and 18 members, including Shri D.N. Thakarpa, Speaker and Shri M.T. Sherpa, Deputy Speaker of the Sikkim Legislative Assembly. The participating members were also taken for a day-long visit to Agra on 1 October 2004 at the conclusion of the Programme.

Appreciation Courses: During the period, Appreciation Courses in Parliamentary Processes and Procedures were organised for: (i) Senior/ Audit and Accounts Officers from the office of the C&AG of India (26 to 30 July 2004); (ii) Probationers of (a) Indian Forest Service, (b) Indian Statistical Service, and (c) Indian Railway Traffic Service (9 to 13 August 2004); and (iii) Probationers of Indian Railway Service of Mechanical Engineers (IRSME) (20 to 24 September 2004).

Training Courses: The Bureau also conducted the following Training

Courses for the Officers of Lok Sabha, Rajya Sabha and State Legislature Secretariats:

(i) The Eleventh Management Development Programme for Middle-Level Officers of the Parliament and State Legislature Secretariats was held from 6 to 11 September 2004. Twenty-four participants from 13 State Legislature Secretariats viz. Andhra Pradesh, Assam, Chhattisgarh, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Maharashtra, Punjab, Tamil Nadu, Tripura, West Bengal and eight Officers from the Lok Sabha Secretariat and seven Officers from the Rajya Sabha Secretariat attended the course.

(ii) A Training Course for Officers and Assistants of the Parliament and State Legislature Secretariats dealing with Questions, Legislative and Budgetary Processes was held from 13 to 17 September 2004. Twenty-two participants from 10 State Legislature Secretariats, 14 from the Lok Sabha and 15 from the Rajya Sabha Secretariat attended the course.

(iii) A Training Course for the Watch & Ward Security Assistants of the Parliament and State Legislature Secretariats was conducted from 13 to 17 September 2004. Sixteen participants from seven State Legislature Secretariats and ten participants from the Lok Sabha Secretariat attended the course.

(iv) A Training Course for the Officials of the Parliament and State Legislature Secretariats providing Research, Reference & Information Service was held from 20 to 24 September 2004. Thirteen participants from five State Legislature Secretariats, five from the Lok Sabha Secretariat and two from the Rajya Sabha Secretariat attended the course.

(v) A Training Course for the Watch & Ward personnel of the Technical Wing of Parliament House Security was held from 13 September to 1 Octobe. 2004. Twenty-six Officers attended the course.

Study Visits: Eight study visits were organised during the period for the participants from various training and educational institutions.

4

PROCEDURAL MATTERS

Instances when the Speaker allowed members to take oath from wheel chair: On 2 June 2004, Shri Ajit Jogi, who had spinal injury, was brought in the House in a wheel chair. He was allowed by the Speaker to take oath from wheel chair. He also signed the Roll of Members.

On 4 June 2004, Shri Ramchandra Veerappa, who was ill, was brought in the House in a wheel chair in the aisle between Block Nos. 2 and 3. He was allowed by the Speaker to take oath from the wheel chair. He also signed the Roll of Members. He was assisted by Director (Table Office) in taking oath as he could not read the oath card due to weak eyesight.

Instance when oath/affirmation cards were printed in Bodo, Dogri, Maithili and Santhali Languages. In 2003, during the Fourteenth Session of the Thirteenth Lok Sabha, by virtue of the Constitution Ninety-second Amendment Act, 2003, Bodo, Dogri, Maithili and Santhali languages were added to the Eighth Schedule of the Constitution.

In pursuance of the provisions of Article 99 of the Constitution, members are required to take oath or make affirmation according to Forms specified in the Third Schedule of the Constitution.

The Ministry of Law and Justice, Legislative Department (Official Languages Wing) was requested to furnish authentic texts of oath and affirmation Forms in these languages as per text of the English version given in the Third Schedule of the Constitution for use of elected and nominated members.

The Secretaries of State Legislative Assemblies of Assam, Jammu and Kashmir, Bihar and Jharkhand were also requested to furnish authentic versions of oath and affirmation Forms in Bodo, Dogri, Maithili and Santhali languages.

The Ministry of Law and Justice (Legislative Department) furnished the authentic version of the forms for elected as well as nominated members.

Accordingly, oath and affirmation cards in Bodo, Dogri, Maithili and

Santhali languages were got prepared as per texts furnished by the Ministry of Law and Justice.

Instance when a member took oath twice: In the General Elections 2004 to the Lok Sabha, Shri Lalu Prasad contested election from two Parliamentary Constituencies *viz.* Madhepura and Chapra in Bihar. The result of Madhepura Parliamentary Constituency was declared on 13 May 2004 and Shri Lalu Prasad took oath in the House on 2 June 2004 (forenoon) as member from Madhepura Parliamentary Constituency. The result of election from Chapra Parliamentary Constituency was declared late on 2 June 2004.

The opinion of the Ministry of Law and Justice and the Election Commission of India was sought as to what would be the course of action in the event of Shri Lalu Prasad desiring to retain the Chapra Parliamentary Constituency.

The Department of Legal Affairs, Ministry of Law and Justice *inter alia* stated as follows:

> "... at the time Shri Lalu Prasad took oath as member of Parliament from Madhepura constituency on 2 June 2004, the result of Chapra constituency was yet to be declared. Therefore, at the time he took oath he was not an elected member from Chapra constituency. If he intends to represent Chapra constituency as MP, he will have to resign as MP from Madhepura and legally it would be more appropriate to take a fresh oath."

However, no comments were received from the Election Commission of India.

Meanwhile, on 8 June 2004, Shri Lalu Prasad intimated that he desired to retain the Chapra Parliamentary Constituency and wanted to resign from the Madhepura Parliamentary constituency and sought advice in the matter.

Shri Lalu Prasad was apprised of the opinion of the Ministry of Law and Justice. Accordingly on 9 June 2004, Shri Lalu Prasad resigned his seat in the Lok Sabha from the Madhepura Parliamentary Constituency and took oath as member from the Chapra Parliamentary Constituency the same day.

Instances when the House agreed that a member might preside over the sitting of the House for some time: On 6 July 2004, during the discussion under Rule 193 regarding the situation in Iraq, at about 16.17 hrs. the Deputy Speaker was in the Chair. As he had an important

engagement and no member of the Panel of Chairmen was available to relieve him, the House agreed to the suggestion by the Deputy Speaker that Shri Hannan Mollah, member, might preside over the sitting of the House for some time. Accordingly, Shri Hannan Mollah presided from 16.08 hrs. to 17.00 hrs. till the Deputy Speaker relieved him at 17.01 hrs.

On 9 July 2004, during the discussion on Private Member's Resolution regarding Reservation for SCs/STs and Backward Communities in Private Sector, at about 17.15 hrs. the Deputy Speaker was in the Chair. As he had an important engagement and no member of the Panel of Chairmen was available to relieve him, the Deputy Speaker suggested that Shri Hannan Mollah, member, might preside over the sitting of the House for some time. Accordingly, Shri Hannan Mollah presided from 17.16 hrs. to 17.42 hrs. till the Deputy Speaker relieved him.

On 13 July 2004, during the discussion on the Railway Budget 2004-2005 the Speaker was in the Chair. As the Speaker was to be relieved and no member of the Panel of Chairmen was available, Shri Devendra Prasad Yadav, member, presided from 16.58 hrs. to 18.27 hrs. till the Speaker relieved him

Instances when members were allowed to lay their written speeches on the Table of the House: On 7 July 2004, during the discussion on the Railway Budget 2004-2005 the Deputy Speaker allowed Shri Khagen Das, member, to lay his written speech on the Table of the House.

On 9 July 2004, during the discussion on the Railway Budget 2004-2005, the Deputy Speaker allowed Shri Shriniwas Dadasaheb Patil, member, to lay his written speech on the Table of the House.

On 13 July 2004, during the discussion on the Railway Budget 2004-2005, the Speaker allowed eighty-four members to lay their written speeches on the Table of the House. Out of these, three members laid some portion of their written speeches.

On 14 July 2004, during the discussion on the Railway Budget 2004-2005, the Speaker allowed nine members to lay their written speeches on the Table of the House.

On 21 July 2004, during the discussion on the General Budget 2004-2005, the Speaker allowed two members to lay their written speeches on the Table of the House.

Procedure of giving Notices to raise issues involving allegations of serious nature: On 12 July 2004, after Question Hour, the Speaker gave the following ruling:

> "Honourable members, on 9 July 2004, I had received notices from Sarvashri Ananth Kumar and D.V. Sadananda Gowda expressing their intention to raise the issues involving allegations of a serious nature against the former Chief Minister of Karnataka and other Ministers of the Karnataka Government as well as the Union Minister of Parliamentary Affairs. While Shri Sadananda Gowda sought to level allegations against both the former Chief Minister and the Union Minister of Parliamentary Affairs, Shri Ananth Kumar, in his notice confined the allegations to the former Chief Minister and a Minister of the State Government. The allegations, as seen from the notices, appear to be based on the purported deposition made by a former police official before the Additional Chief Metropolitan Magistrate in Bangalore in connection with the 'Stamp Paper Scam Case'. The present status of the matter as to whether it is *sub judice* or not, is not known in clear terms.

In my ruling on 9 July 2004, I had disallowed both the notices and in my observation in the House on the subject on 9 July 2004, I had emphasized the need to follow the well laid down rules and practices with regard to making of allegations against any person.

Now I wish to state the reasons why I disallowed the notices.

There is a specific rule, being Rule 353, in the Rules of Procedure and Conduct of Business in Lok Sabha which reads as follows:

> "No allegation of a defamatory or incriminatory nature shall be made by a member against any person unless the member has given adequate advance notice to the Speaker and also to the Minister concerned so that the Minister may be able to make an investigation into the matter for the purpose of a reply:
>
> Provided that the Speaker may at any time prohibit any member from making any such allegation if he is of opinion that such allegation is derogatory to the dignity of the House or that no public interest is served by making such allegation."

This is the rule. Both the notices given by the honourable members attracted the provisions of Rule 353. As no adequate advance notice was given to the Speaker and also to the Minister concerned, I could not allow the honourable members to raise the same because the same contained allegations of defamatory or incriminatory nature.

In Kaul and Shakdher's book on *Practice and Procedure of Parliament (Fifth Edition)* the observations of the Rules Committee which proposed

the rule have been set out and I quote the relevant portion from pages 917 and 918 for the information of the honourable members:

> "It was against the rules of parliamentary debate and decorum to make defamatory statements or allegations of incriminatory nature against any person and the position was rather worse if such allegations were made against persons who were not in a position to defend themselves on the floor of the House. The House should not be made a forum where the conduct and character of persons should be brought into disrepute, as the person against whom allegations were made had no remedy against a speech made on the floor of the House which was privileged. In order to safeguard the honour of the people generally it was imperative that the members applied voluntary restraint and resorted to making allegations in cases of extreme necessity where there was an element of public interest. Even in such cases, it was necessary that reasonable opportunity should be given to the Minister concerned to investigate into the matter and to produce, if necessary, defence on behalf of the person concerned.
>
> It would not be right to place an absolute ban on members making such allegations as that might stand in the way of their discharging their duties as responsible members. While a member should be given absolute right to bring to the notice of the House any matter which on proper investigation he feels should be ventilated even though it involves the character or reputation of any person, he should in the interest of public morality and high parliamentary decorum inform the Speaker beforehand of his intention to do so and also the Minister concerned. The Minister will then have an opportunity to look into the matter beforehand and to come prepared with a reply also. At the same time the Speaker will have also an opportunity of satisfying himself that the member has made reasonable inquiries and has in his possession *prima facie* evidence in support of his allegations."

It has been further observed in Kaul and Shakdher at page 918 as follows:

> "Unless advance notice is given to the Speaker and the Minister concerned, a member is not permitted to make allegations in the House. Where allegations are made without fulfilling this requirement, an objection to that effect can be taken by any member in the House and the Chair in such a case may uphold the objection and forbid the member from proceeding further in the matter. The Chair may also *suo motu* object to the allegations being made where these are made without

following the prescribed procedure. In appropriate cases, the member may be asked to withdraw them or the Chair may even order the expunction of the allegations from the proceedings though this is done in exceptional cases only."

At page 921 of Kaul and Shakdher, the procedure which has to be followed in dealing with the allegations made against outsiders has been set out, as laid down by the Chair on 17 December 1970, which reads thus:

> "(1) No member shall be allowed to make an allegation against an outsider unless he has obtained the prior permission of the Speaker after giving advance notice thereof to the Speaker and the Minister concerned. Such notice shall give the name of the person concerned, the nature of allegation against him and some evidence to show that there is a *prima facie* case.
>
> (2) Where a member makes an allegation in the House against an outsider without obtaining the prior permission of the Speaker, the same may not form part of the record of the House.
>
> (3) In the case of allegations made against Government officers, it will be for the Minister concerned to make a statement in the House, if he so wishes.
>
> (4) When a representation from an outsider is substantiated by documentary evidence, the Speaker may, in his discretion, refer the matter to the Government or the Committee on Petitions for inquiry and report."

In these circumstances, I was not inclined to permit Shri Ananth Kumar to raise the matter as it was not permissible for him to raise the matter of which he had given the notice in a manner he had done.

As regards Shri Sadananda Gowda's notice *inter alia* proposing to make allegations against the Union Minister of Parliamentary Affairs, I may invite the attention of the House again to page 921 of Kaul and Shakdher wherein it is stated that it is not enough for a member merely to give notice to the Speaker in general terms before making allegations in the House. For this purpose, it is necessary that:

(i) The member gives adequate notice to the Speaker and the Minister concerned;

(ii) The details of the charges sought to be levelled are spelt out in precise terms and are duly supported by the requisite documents, which are to be authenticated by the member;

(iii) The member before making the allegations in the House, satisfies himself after making enquiries that there is a basis for the allegations;

(iv) The member is prepared to accept the responsibility for the allegations; and

(v) The member is prepared to substantiate the allegations.

I also wish to point out that the conduct of the high functionaries, including Ministers can be discussed only on appropriate motions drawn in a form approved by the Speaker. As the conditionalities stipulated under the rules were not complied with, I had disallowed the notice of Shri Sadananda Gowda. However, if a fresh notice, which complies with the rules and procedures, is given, I may consider the matter on its merits.

Since the matter is of importance and on many occasions allegations are made, I felt the position should be made clear."

Instances when members whose names were not in the list of Business were allowed to ask clarificatory questions on Calling Attentions: On 17 August 2004, the Deputy Speaker allowed five members, Sarvashri Basudeb Acharia, Rupchand Pal, Varkala Radhakrishnan, Shailendra Kumar and Kharabela Swain whose names were not in the List of Business, to ask clarificatory questions on Calling Attention regarding reported reduction in interest rate of Employees Provident Fund.

On 18 August 2004, the Speaker allowed eleven members, Sarvashri Santosh Gangwar, Santasri Chatterjee, Shailendra Kumar, Anant Gangaram Geete, Devendra Prasad Yadav, Varkala Radhakrishnan, Ramdas Bandu Athawale, Braja Kishore Tripathy, Raghunath Jha, Tarit Baran Topdar and Kunwar Manvendra Singh, whose names were not in the List of Business, to ask clarificatory questions on Calling Attention regarding move to curb the right to strike by employees and place other restrictions on working classes.

Instance when the Demands for Grants were voted in full without any discussion: On 25 August 2004, the Demands for Grants of all Ministries/Departments were voted in full without any discussion. Thereafter, the Appropriation Bills as introduced by the Finance Minister were passed and the House adjourned at 11.21 hours i.e., 5 hrs. and 39 mts. before scheduled time.

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PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS

(1 JULY TO 30 SEPTEMBER 2004)

Events covered in this Feature are based primarily on reports appearing in the daily newspapers and, as such, the Lok Sabha Secretariat does not accept any responsibility for their accuracy, authenticity or veracity.

—Editor

INDIA

DEVELOPMENTS AT THE UNION

Budget Session of the Parliament: The Fourteenth Lok Sabha commenced its Second Session on 5 July 2004. The Two Hundred and Second Session of the Rajya Sabha also commenced on 5 July 2004. Both the Houses of the Parliament were adjourned on 23 July 2004 for the recess to enable the Departmentally-Related Standing Committees to examine the Demands for Grants of the Union Ministries/ Departments assigned to them and submit their reports to the House. Both the Houses re-assembled on 16 August 2004 and were adjourned *sine die* on 26 August 2004. The President, Dr. A.P.J. Abdul Kalam prorogued both the Houses on 30 August 2004.

Death of a Former Lok Sabha Member: Veteran Communist Leader and a former member of Lok Sabha, Shri Hirendra Nath Mukerjee passed away at Kolkata on 30 July 2004. He was 97.

Death of Lok Sabha Member: On 18 July 2004, Shri Ramachandra Veerappa, a sitting Bharatiya Janata Party (BJP) member of the Lok Sabha from Bidar (Karnataka) passed away. He was 96.

New Deputy Chairman of Rajya Sabha: On 22 July 2004, Shri K. Rehman Khan of the Indian National Congress was unanimously elected as the Deputy Chairman of the Rajya Sabha.

Rajya Sabha Elections: On 9 August 2004, Sarvashri P.M. Sayeed and Janardan Dwivedi (both from the Indian National Congress) were declared elected to the Rajya Sabha from Delhi.

Resignation of Rajya Sabha member: On 7 July 2004, consequent upon his appointment as the Governor of Haryana, Dr. A.R. Kidwai of the Indian National Congress resigned his membership from the Rajya Sabha.

Resignation of Union Minister: On 24 July 2004, Union Minister of Coal, Shri Shibu Soren resigned from the Union Council of Ministers.

AROUND THE STATES

ARUNACHAL PRADESH

Dissolution of State Assembly: On 7 July 2004, on the recommendation of the United Democratic Front (UDF) coalition Government, headed by Shri Gegong Apang, the Governor, Shri V.C. Pandey dissolved the State Assembly.

BIHAR

Suspension of MLA: On 23 August 2004, the Rashtriya Janata Dal (RJD) suspended its party MLA, Shri Deenanath Singh from the party for six years for indulging in anti-party activities.

Downsizing of Ministry: On 4 July 2004, the Chief Minister, Smt. Rabri Devi dropped 17 Ministers-6 of the Cabinet rank and 11 Ministers of State-from the Cabinet to downsize the Ministry to 15 per cent of the total strength of the State Assembly, as required by the Constitution (Ninety-first Amendment), Act, 2003*.

CHHATTISGARH

Assembly By-Election Results: On 13 May 2004, the Bharatiya Janata Party (BJP) won both the Assembly by-elections held on 20 April 2004. The winners are: Dr. Raman Singh (Dongargaon) and Shri Khetram Devangan (Akaltara).

Resignation of Five Ministers: On 6 July 2004, the Chief Minister, Dr. Raman Singh dropped five Ministers from his Council of Ministers in order to meet the Constitutional deadline to downsize the Ministry to 15 per cent of the total strength of the State Assembly, as required by the Constitution (Ninety-first Amendment), Act, 2003.

The Ministers dropped are: Sarvashri Vikram Ushendi, Mahesh Baghel, Satyanand Rathiya, Rajinder Pal Singh Bhatia and Smt. Poonam Chandrakar.

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* Assented to by the President on 01.01.2004

DELHI

New Speaker: On 20 July 2004, Chaudhary Prem Singh was unanimously elected as the Speaker of the State Legislative Assembly.

New Deputy Speaker: On 23 July 2004, Shri Shoaib Iqbal was unanimously elected as the Deputy Speaker of the State Legislative Assembly.

GOA

New Governor: On 17 July 2004, Shri S.C. Jamir was sworn in as the Governor of Goa.

GUJARAT

New Governor: On 24 July 2004, Shri Nawal Kishore Sharma was sworn in as the Governor of Gujarat.

Death of Leader of Opposition: On 15 August 2004, the Leader of the Opposition in the State Legislative Assembly, Shri Amarsinh Chaudhary (Indian National Congress) passed away. He was 63.

HARYANA

New Governor: On 7 July 2004, Shri A.R. Kidwai was sworn in as the Governor of Haryana.

Resignation of BJP MLAs: On 18 July 2004, all the six BJP MLAs resigned from the State Legislative Assembly, protesting against the Punjab Government's termination of water sharing accords with the neighbouring States. The six MLAs who resigned are: Sarvashri Krishan Pal Gujjar, Chandra Bhatia, Vaid Kapur Chand, Kanwar Pal Singh, Ms. Veena Chibber and Ms. Sarita Narain.

HIMACHAL PRADESH

Resignation of three Ministers: On 6 July 2004, the Chief Minister, Shri Virbhadra Singh dropped three Ministers from the Council of Ministers in order to downsize the Ministry to 15 per cent of the total strength of the State Assembly, as required by the Constitution (Ninety-first Amendment), Act, 2003.

The dropped Ministers are: Sarvashri Vijay Singh Mankotia, B.B. Butail and Smt. Chandresh Kumari.

JHARKHAND

Removal of Minister: On 30 June 2004, the Chief Minister,

Shri Arjun Munda dropped the Revenue and Land Reforms Minister, Shri Madhu Singh from the Council of Ministers.

KERALA

New Chief Minister: On 31 August 2004, Shri Oommen Chandy was sworn in as the new Chief Minister, replacing Shri A.K. Antony. Along with him, four Ministers also took oath of office. The new Ministers are: Sarvashri K.M. Mani, P.K. Kunhalikutty, K.R. Gowri and M.V. Raghavan.

On 5 September 2004, the Chief Minister inducted 15 new Ministers into his Cabinet. The names of the members of the Council of Ministers with portfolios are as follows:

Sarvashri Oommen Chandy, Chief Minister, *Home, Non-Resident Keralites Affairs (Norka) and Public Relations, Vigilance and the portfolios not allocated to any other Minister;* Vakkom B. Purushothaman, *Finance and Excise;* Aryadan Muhammed, *Electricity;* Thiruvanchoor Radhakrishnan, *Water Resources;* K.P. Viswanathan, *Forests;* K.K. Ramachandran, *Health;* Adoor Prakash, *Food and Civil Supplies*; K.C. Venugopal, *Tourism and Devaswoms;* N. Sakthan, *Transport*; A.P. Anilkumar, *Cultural Affairs in addition to Welfare of Scheduled and Backward Communities*; Dominic Presentation, *Fisheries and Sports*; E.T. Mohammed Basheer, *Education;* Kutty Ahmed Kutty, *Local Self-Government;* M.K. Muneer, *Public Works;* P.K. Kunhalikutty, *Industries and Information Technology;* C.F. Thomas, *Rural Development*; K.M. Mani, *Revenue and Law*; Babu Divakaran, *Labour;* K.R. Gowri, *Agriculture and Coir;* and M.V. Raghavan, *Cooperation.*

New Speaker: On 16 September 2004, Shri Therambil Ramakrishnan was elected as the Speaker of the State Legislative Assembly.

MADHYA PRADESH

New Governor: On 30 June 2004, Dr. Bal Ram Jakhar was sworn in as the Governor of Madhya Pradesh.

Resignation of Chief Minister: On 23 August 2004, the Chief Minister Sushri Uma Bharati resigned from her post in the wake of the non-bailable warrant issued against her by a Court in Hubli (Karnataka) in a 10-year-old case. Shri Babu Lal Gaur was sworn in as the new Chief Minister.

New Cabinet: On 27 August 2004, the Chief Minister expanded the Council of Ministers by inducting 15 Cabinet Ministers, 5 Ministers of State (Independent Charge) and 11 Ministers of State.

The Council of Ministers with portfolios is as follows: Sarvashri Babulal Gaur, Chief Minister, *General Administration Department, Home, Energy, Aviation, Animal Husbandry (Gau Sanvardhan Board), IT, Biotech, Biodiversity and other departments not held by another Minister;* Gaurishankar Shejwar: *Public Health and Family Welfare, Medical Education;* Kailash Chawla: *Commercial Tax, Commerce and Industry, PSUs;* Raghavji: *Finance, Planning, Economics and Statistics and 20-Point Programme Implementation;* Dhal Singh Bisen: *School Education;* Gopal Bhargava: *Agriculture, Cooperation;* Kailash Vijayvargiya: *PWD and Legislative Affairs;* Chaudhary Chandrabhan Singh: *Forests;* Narendra Singh Tomar: *Panchayat and Rural Development, Rural Industry;* Harnam Singh Rathor: *Jail, Fisheries and Labour;* Omprakash Dhurve: *Sports and Youth Welfare;* Anoop Mishra: *Water Resources, NVDA;* Dilip Bhatere: *Revenue, OBC and Minority Welfare;* Jayant Mallayya: *Urban Administration and Development, Tourism;* Kunwar Vijay Shah: *Tribal Welfare;* Rustam Singh: *Food and Civil Supplies;* and Smt. Archana Chitnis: *Women and Child Development, Higher Education, Technical Education and Training and Social Welfare.*

The Ministers of State (Independent Charge) are: Sunil Nayak: *Animal Husbandry;* Rajendra Shukla: *Housing and Environment;* Laxmikant Sharma: *Mineral Resources, Public Grievances, Culture, Religious Trusts and Endowment, Rehabilitation and Science and Technology;* Rampal Singh: *Public Health Engineering;* and Umashankar Gupta: *Transport and Bhopal Gas Relief and Rehabilitation.*

The Ministers of State are: Badrilal Yadav: *Agriculture;* Luvkesh Singh: *Labour, Law and Legislative Affairs and Revenue;* Gangaram Patel: *Water Resources;* Gopilal Jatav: *SC Welfare;* Jagdish Deora: *Home, Energy;* Karan Singh Verma: *Panchayat and Rural Development and Rural Industry;* Moti Kashyap: *Fisheries;* Narayan Singh Kushwaha: *Social Justice;* Shivnarayan Jagirdar: *Urban Administration and Development;* Antar Singh Arya: *Tribal Welfare;* and Km. Meena Singh: *Women and Child Development.*

MAHARASHTRA

Downsizing of Ministry: On 6 July 2004, the Chief Minister Shri Sushil Kumar Shinde dropped 4 Cabinet Ministers and 18 Ministers of State from his Cabinet, to downsize the Ministry to 15 per cent of the total strength of the State Assembly, as required by the Constitution (Ninety-first Amendment), Act, 2003.

The Cabinet Ministers dropped are: Sarvashri Shivajirao Patil Nilangekar, Babasaheb Dhabekar, Dilip Valse-Patil and Digvijay Khanvilkar.

The Ministers of State who have been dropped are: Sarvashri Prashant Hire, Subhash Thakre, Rajesh Tope, Rajendra Shingne, Hemant Deshmukh, Ram Raje Nimbalkar, Balasaheb Thorat, Chandrakant Shivarkar, Bandu Sawarbandhe, Basavraj Patil, Chandrakant Chhajed, Manikrao Thakre, Dharmarao Baba Atram, Digambar Bagal, Vinayakrao Jadhav Patil, Ramdas Bodke, Sanjay Deshmukh, and Ajit Ghorpade.

MANIPUR

New Governor: On 6 August 2004, Shri Shivinder Singh Sidhu was sworn in as the Governor of Manipur.

MEGHALAYA

Death of Minister and two MLAs: On 22 September 2004, the Community Development Minister, Shri Cyprian Sangma and Sarvashri H.N. Marak and Ardhendu Chowdhury (both members of the Meghalaya Legislative Assembly) were killed in a Helicopter crash near Shillong.

ORISSA

Resignation of Minister: On 26 July 2004, the Women and Child Development Minister, Smt. Pramilla Mallick resigned from the Council of Ministers, amidst controversy over a non-bailable arrest warrant pending against her since 1999.

PUNJAB

Downsizing of Ministry: On 5 July 2004, the Governor accepted the resignations of 12 Ministers (including 5 Cabinet Ministers and 7 Ministers of State) forwarded by the Chief Minister, Shri Amarinder Singh. The Cabinet Ministers who resigned are: Sarvashri Khushal Behl, Tej Parkash Singh, Gurchet Singh Bhullar, Chaudhary Santokh Singh and Joginder Singh Mann.

The Ministers of State who resigned are: Sarvashri Amarjit Singh Samra, Jasjit Singh Randhawa, Ramesh Dutt Sharma, Ashwani Sekhri, Tripat Rajinder Singh Bajwa, Malkiat Singh Birmi and Prof. Darbari Lal.

Expansion of Cabinet: On 7 July 2004, the Chief Minister, Shri Amarinder Singh inducted three Cabinet Ministers-Sarvashri Amarjit Singh Samra, Jasjit Singh Randhawa and Surinder Singla-and two Ministers of State Shri Hans Raj Josan and Ms. Gurkanwal Kaur-into his Council of Ministers.

New Deputy Speaker: On 12 July 2004, Professor Darbari Lal was unanimously elected as the Deputy Speaker of the State Legislative

Assembly, replacing Shri Bir Devinder Singh who had submitted his resignation earlier in the day.

RAJASTHAN

New Deputy Speaker: On 17 July 2004, Shri Ram Narain Vishnoi was unanimously elected as the Deputy Speaker of the State Legislative Assembly.

UTTARANCHAL

Downsizing of Ministry: On 6 July 2004, the Chief Minister, Shri Narain Dutt Tiwari dropped 5 Ministers to downsize the Ministry to 15 per cent of the total strength of the State Assembly, as required by the Constitution (Ninety-first Amendment), Act, 2003.

The dropped Ministers are: Sarvashri Shoorveer Singh Sajwan, Mantri Prasad Nathani, Ram Prasad Tamba, Kishore Upadhyay, and S.S. Negi.

UTTAR PRADESH

Death of MLC: On 5 September 2004, Samajwadi Party MLC, Shri Ajit Singh was shot dead by unidentified persons in Lucknow.

Downsizing of Ministry: On 3 July 2004, the Governor Shri Vishnu Kant Shastri accepted the resignations of 31 Ministers–two Ministers of Cabinet rank and 29 Ministers of State rank on the recommendation of the Chief Minister, Shri Mulayam Singh Yadav to downsize the Ministry to 15 per cent of the total strength of the State Assembly, as required by the Constitution (Ninety-first Amendment), Act, 2003. With this, the number of Ministers in the Mulayam Singh-led coalition Government came down from 91 to 60.

Expulsion of Five BJP MLAs: On 25 August 2004, the BJP expelled 5 suspended party MLAs for six years for indulging in anti-party activities. The expelled MLAs are: Sarvashri Mayankeshwar Saran Singh, Narendra Verma, Daya Shanker Verma, Kovid Kumar Singh and Anil Verma.

New Governor: On 4 July 2004, Shri T.V. Rajeshwar was appointed as the Governor of Uttar Pradesh.

New Speaker: On 26 July 2004, Shri Mata Prasad Pandey was unanimously elected as the Speaker of the State Legislative Assembly.

Resignation of Ministers: On 30 June 2004, all the Ministers submitted their resignation to the Chief Minister, Shri Mulayam Singh Yadav as part of the exercise to downsize the Ministry.

EVENTS ABROAD

AUSTRIA

New President: On 6 July 2004, President, Mr. Thomas Klestil, died following a heart attack, two days before he was to leave office at the end of his second six-year term.

On 8 July 2004, Mr. Heinz Fischer was sworn in as the new President.

CANADA

New Prime Minister. On 20 July 2004, Mr. Paul Martin was sworn in as the Prime Minister of Canada.

CZECH REPUBLIC

New Prime Minister: On 26 July 2004, Mr. Stanislav Gross was sworn in as the Prime Minister.

DOMINICAN REPUBLIC

President sworn in: On 16 August 2004, Mr. Leonel Fernandez Reyna was sworn in as the President.

EGYPT

New Government: On 11 July 2004, the Government headed by the Prime Minister Mr. Atif Mohammed Ubayd, submitted resignation to the President Mr. Hosni Mohammed Mubarak. On the same day, the President appointed Mr. Ahmad Mahmud Mohammed Nazif, as the Prime Minister.

GERMANY

New President: On 1 July 2004, Mr. Horst Kohler of the Christian Democratic Union (CDU) was sworn in as the President of Germany.

HUNGARY

New Prime Minister: On 25 August 2004, the Prime Minister Mr. Peter Medgyessy resigned. On 27 August 2004, Mr. Ferenc Gyurscsany was sworn in as the Prime Minister. On 29 September 2004, the National Assembly (the unicameral Legislature) endorsed Mr. Ferenc Gyurscsany as the Prime Minister by 192 to 12 votes.

ICELAND

New Prime Minister: On 15 September 2004, the Prime Minister,

Mr. David Oddsson stepped down in favour of Mr. Halldor Asgrimsson, the leader of the Progressive Party, the junior party in the ruling coalition Government. The change was in accordance with a coalition agreement that had been made after the elections in May 2003.

JAPAN

New President of House of Councillors: On 30 July 2004, Mr. Chikage Ogi was elected as the President of the House of Councillors (the Upper Chamber of the *Diet*).

LITHUANIA

President sworn in: On 12 July 2004, Mr. Valdas Adamkus was sworn in as the President of Lithuania.

MONGOLIA

New Speaker: On 13 August 2004, Mr. Nambariyn Enbkbayar was elected as the Speaker of the Great Hural.

New Prime Minister: On 20 August 2004, the Great Hural (the unicameral Legislature) unanimously elected Mr. Tsakhiagiyn Elbegdorj as the Prime Minister.

PAKISTAN

New Prime Minister: On 26 August 2004, the care taker Prime Minister, Chaudhry Shujaat Hussain resigned from his post. On 27 August 2004, the 342-member National Assembly (the Lower House of the Federal Legislature) elected Mr. Shaukat Aziz as the Prime Minister. Mr. Shaukat Aziz was sworn in on 28 August 2004.

PANAMA

New President: On 1 September 2004, Mr. Martin Torrijos Espino was sworn in as the President of Panama.

PORTUGAL

New Prime Minister: On 4 July 2004, the President Mr. Jorge Sampaio appointed Mr. Pedro Santana Lopes as the Prime Minister.

SAO TOME AND PRINCIPE

Removal of Prime Minister: On 15 September 2004, the President, Mr. Fradique de Menezes removed Ms. Maria das Neves de Sousa as the Prime Minister for her alleged involvement in a corruption scandal involving aid funds from abroad.

On 20 September 2004, Mr. Damiao Vaz d'Almeida was appointed as the new Prime Minister.

SINGAPORE

New Prime Minister: On 12 August 2004, the President Mr. S.R. Nathan appointed Mr. Lee Hsien Leong as the Prime Minister, replacing Mr. Goh Chok Tong.

VANVATU

New President: On 16 August 2004, Mr. Kalkot Mataskelekele was elected as the President of Vanvatu.

6

SESSIONAL REVIEW

FOURTEENTH LOK SABHA

SECOND SESSION

The Second Session of the Fourteenth Lok Sabha, which commenced on 5 July 2004, was adjourned on 23 July till 16 August to enable the Departmentally-Related Standing Committees of the Parliament to examine the Demands for Grants of the Ministries assigned to them and report back to the House. The Session was adjourned *sine die* on 26 August. The House was later prorogued on 30 August 2004.

A resume of some of the important discussions held and other business transacted during the period 5 July to 26 August 2004 is given below

A. DISCUSSIONS / STATEMENTS

Railway Budget, 2004-2005: Presenting the Railway Budget, 2004-2005 in Lok Sabha on 6 July 2004, the Minister of Railways, Shri Lalu Prasad Yadav said that Indian Railways, the prime movers of the nation, had the distinction of being one of the largest railway systems in the world under a single management. It was an important catalyst to the growth of trade, industry and economy as a whole, with immense potential for generating more employment. The Government attached highest priority to the development and expansion of railway infrastructure as mentioned in the Common Minimum Programme.

The Minister stated that the Railways had initiated many policy changes to meet the requirements of its customers. While continuing the process of reforms, the modernization of Railways, replacement and renewal of assets, particularly, the track renewal and safety of passengers would be the thrust areas for the Railways. Another thrust area would be control over expenditure and stepping up of measures to prevent leakage of revenue.

There had been a shortage of resources for investment on Railways, which needed to be enhanced substantially to take care of the priority areas *viz.*, safety, development and expansion of the system.

Railways would continue to strive to effect improvements wherever needed.

Indian Railways was committed to improving its internal resource position. For this, Railways would implement a two-pronged strategy. Aggressive marketing efforts would be launched to enhance the earnings and leakage of revenue would be arrested at all identified points. Operating expenses would in no way be allowed to exceed the barest minimum requirement. Optimum utilization of human resource and cost effective use of other assets would be ensured. Utmost economy would be maintained in general expenditure.

In the financial year 2003-04, the Railways had moved 557.39 million tonnes of originating revenue earning traffic, against the target of 550 million tonnes and 38.65 million tonnes higher than the previous year's load. Passenger traffic registered a growth of about 3 per cent during the year. There had been an increase of Rs. 240 crore over the earnings projected in the Revised Estimates and a savings of Rs. 491 crore in the Ordinary Working Expenses.

The biggest challenge that the Indian Railways faced today was to ensure safe transit of passengers. As a result of various safety measures and sustained efforts, the number of consequential train accidents had come down. Special Railway Safety Fund (SRSF) to the tune of Rs.17,000 crore was created w.e.f. 1.10.2001 to wipe out arrears in renewal of over aged assets besides safety enhancement works over a six-year period. Considerable progress had been made in the execution of works sanctioned under the fund.

The Railway Protection Force (RPF) had been entrusted with additional responsibilities for escorting passenger trains in vulnerable areas and to have control on access and regulation and general security at platforms to supplement the efforts of State Police/GRP for enhanced security of the passengers.

For the year 2004-05, a targeted addition of nearly 1650 kms of Broad Gauge lines had been set. The Railways also proposed to complete 273 kms of New Lines, 1000 kms of gauge conversion and doubling of 381 kms, and electrification of 375 route kilometers.

The plan outlay for 2004-2005 had been kept at Rs. 11,265 crore. Taking into account the outlay of Rs. 2,933 crore on safety related works through the Special Railway Safety Fund (SRSF), the total outlay came to Rs.14,198 crore, which was Rs.773 crore more than the outlay provided in the Interim Budget. For the year 2004-2005, the total funds received from the General Exchequer were the same as provided in the

Interim Budget that was Rs. 7,020 crore, which included Rs. 2,075 crore as contribution towards the SRSF and Rs. 401 crore from the Central Road Fund.

In addition to the budgetary support, the Railway Minister proposed to provide Rs. 2,870 crore for plan expenditure through internal resource generation, which was Rs. 240 crore higher than what was budgeted for the year 2003-2004.

The thrust of the Annual Plan was development and safety. The total outlay under capital on the five major plan project heads in the year 2004 had been kept at Rs. 2,696 crore with Rs. 947 crore on new Lines. Besides New Lines, Rs. 760 crore on Gauge Conversion, Rs. 479 crore for Doubling, Rs. 125 crore for Electrification and the outlay on metropolitan transport projects had been kept at Rs. 385 crore. Apart from that, Rs. 717 crore were being allotted to several works in the plan heads New Lines, Doubling, Gauge Conversion and Railway-Electrification, which were to be executed by the Rail Vikas Nigam. The outlay on safety related plan heads, inclusive of outlay given under the Special Railway Safety Fund, was Rs. 2,570 crore for Track Renewals, Rs. 528 crore for the Bridges and Rs. 813 crore for Signalling and Telecommunications.

Dealing with the Budget Estimates for 2004-2005, he stated that the estimates presented to the House through the Interim Budget 2004-2005 were based on the Revised Estimates fixed for 2003-2004. In the light of the approximate financial results for 2003-2004, the Interim Budget estimates had been reviewed and updated.

The Interim Budget anticipated a growth rate of 5.49 per cent in passenger earnings for the year 2004-05. However, in the light of the actual growth rate achieved during 2003-04, the passenger earnings were now proposed to be revised downward from Rs. 14,200 crore of Interim Budget to Rs. 13,940 crore.

The freight earnings had been placed at Rs. 28,745 crore, which was 645 crore higher than the Interim Budget level.

The requirement of funds for Ordinary Working Expenses for 2004-2005, which were placed at Rs. 32,960 crore in the Interim Budget, had been recast in view of the savings achieved in the previous year.

The total working expenses worked out to Rs. 41,417 crore and the net traffic receipts had come to Rs. 3,485 crore as against Rs. 3,232 crore of Interim Budget. With a sum of Rs. 993 crore coming from the net miscellaneous receipts, the net railway revenue now worked out to

Rs. 4,478 crore as against Rs. 4,225 crore of the Interim Budget. After payment of current dividend of Rs. 3,305 crore and Rs. 300 crore towards the deferred dividend liability, the Railways were left with a surplus of Rs. 873 crore. With the increased emphasis on safety, it was proposed to deploy Rs. 158 crore of this surplus through Special Railway Safety Fund and the remaining through Development Fund for modernization and development.

The Minister said that the results of greater efficiency and better capacity utilisation were made truly meaningful in the national context. The benefits of better performance of the railways should be passed on to the common man and the national economy to contribute to the growth and price stability. He further stated that it would be his endeavour to lessen the burden on the economically weaker sections of the society.

With a view to sustaining and improving market share, the Minister did not propose any increase in the freight rates for the year 2004-05.

Despite there being no additional resource mobilization measures by increasing passenger fares or freight rates and post interim budget factors of 50 per cent DA merger and increase in diesel prices, the Operating Ratio showed improvement and was budgeted at 92.6 per cent against 93 per cent in the Interim Budget.

The Minister of Railways further stated that he would make every effort to further improve the Railways performance so that it would continue to play a pivotal role in the economic prosperity of the country and its people.

The combined discussion on the Budget (Railways), 2004-05; Demands for Grants on Account (Railways), 2004-2005 took place on 7, 9, 13 and 14 July 2004.

Initiating the discussion on 7 July 2004, Shri Sushil Kumar Modi of the Bharatiya Janata Party said that the Railway Budget lacked reason, vision and initiative. The Budget was being welcomed across the country because freight and passenger fares have not been raised in it. But the credit for it should go to Shri Nitish Kumar and the previous Government headed by Shri Atal Bihari Vajpayee, because it had done exemplary work during the last six years. It was the NDA Government which had created a special railway safety fund of Rs.17,000 crore. He stated that the Railway Minister had added nothing new about the Railway Safety in his Budget Speech. There was no mention of the concrete steps and the efforts that should be made to check the rail accidents.

Participating in the discussion*, Shri Basudeb Acharia (CPI-M) said that for the first time the Indian Railway had taken care of the common people, the poorer sections. He further stated that it was for the first time that some attempt had been made to increase the internal resources by reducing its expenditure. Industrial and economic development was related to the development of Railways; as such the Central Government should invest on the expansion of the railway network.

Ms. Mehbooba Mufti (Jammu and Kashmir Peoples Democratic Party) requested the Minister to identify the accident prone areas and take up their upgradation and modernisation on priority basis. She requested the Minister not to scale down the budgetary provisions because the rail project had played an important role in tackling the

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* Others who took part in the discussion were: Sarvashri Bijendra Singh, Ramji Lal Suman, Raghunath Jha, Anantrao Gudhe, S.P.Y. Reddy, Tathagata Satpathy, Prabhunath Singh, Khagen Das, Sadashivrao Dadoba Mandlik, Aditya Nath, Bhubneshwar Prasad Mehta, Shriniwas Dadasaheb Patil, Manvendra Singh, Ram Kripal Yadav, Mallipudi Pallam Mangapathi Raju, Chandra Sekhar Sahu, M. Shivanna, Ravi Prakash Verma, Bapu Hari Chaure, Bhupinder Singh Hooda, P. Mohan, P. Karunakaran, A.V. Bellarmin, Anwar Hussain, Hemlal Murmu, Santasri Chatterjee, Chaudhary Lal Singh, Lalit Mohan Suklabaidya, Abdullah Kutty, Tufani Saroj, Narendra Kumar Kushwaha, Vijay Krishna, Shailendra Kumar, Lonappan Nambadan, Sanat Kumar Mandal, Ganesh Singh, Srichand Kripalani, Chandramani Tripathi, Ram Singh Kaswan, Karunakara G. Reddy, S. Mallikarjunaiah, Alakesh Das, Bhanwar Singh Dangawas, S.K. Kharventhan, Rupchand Pal, Hannan Mollah, Shafiqur Rahman, Sita Ram Singh, Virchandra Paswan, Madhusudan Mistry, Sita Ram Yadav, Lakshman Chandra Seth, Suresh Kurup, Mohan Singh, Harishchandra Deoram Chavan, Prabodh Panda, Abdul Rashid Shaheen, Sunil Khan, Subhash Sureshchandra Deshmukh, Suresh Chandel, Pusp Jain, Chandra Bhan Singh, N.S.V. Chitthan, Brajesh Pathak, Alok Kumar Mehta, G.M. Siddeswara, P.C. Goddigouder, Bikram Keshari Deo, Amitava Nandy, Harsingh Nasaru Rathod, Mahesh Kumar Kanodia, Swadesh Chakraborty, Mohan Jena, Lal Mani Prasad, Raja Ram Pal, Mohd. Muqueem, J.M. Aaron Rashid, S. Ajaya Kumar, Bhartruhari Mahtab, Kishan Singh Sangwan, Manjunath Kunnur, Dhan Singh Rawat, Parasnath Yadav, N.Y. Hanumanthappa, Ganesh Prasad Singh, Anil Basu, Samik Lahiri, Subrata Bose, Aruna Kumar Vundavalli, Avinash Rai Khanna, Vijay Kumar Khandelwal, Nikhil Kumar Choudhary, Bhanu Pratap Singh Verma, Varkala Radhakrishnan, Punnu Lal Mohale, Subhash Maharia, Prahlad Joshi, Jai Prakash, Rakesh Singh, Kharabela Swain, Suresh Prabhu, S.P. Goel, Chandra Bhushan Singh, Pradeep Gandhi, Krishna Murari Moghe, Girdhari Lal Bhargava, Santosh Gangwar, Bachi Singh Rawat, Sarbananda Sonowal, K.C. Singh Baba, T.K. Hamza, Tukaram Ganpat Rao Renge Patil, Anirudh Prasad alias Sadhu Yadav, Dr. M. Jagannath, Dr. Laxminarayan Pandeya, Dr. Sebastian Paul, Dr. Col. (Retd.) Dhani Ram Shandil, Dr. K.S. Manoj, Dr. Rajesh Mishra, Dr. M. Baburao, Dr. Sujan Chakraborty, Dr. Ramkrishna Kusmaria, Dr. Karan Singh Yadav, Dr. Satyanarayan Jatiya, Prof. K.M. Kader Mohideen, Prof. S.P. Singh Baghel, Prof. Chander Kumar, Prof. Rasa Singh Rawat, Smt. M.S.K. Bhavani Rajenthiran, Smt. V. Radhika Selvi, Smt. Minati Sen, Smt. Pratibha Singh, Smt. P. Satheedevi, Smt. Sujatha, Smt. Kiran Maheshwari, Smt. Jyotirmoyee Sikdar, Smt. Tejaswini SeeRamesh, Smt. Kalpna Ramesh Narhire, Smt. Maneka Gandhi, Smt. D. Purandeswari, Smt. Ranjeet Ranjan, Smt. Karuna Shukla, Smt. Manorama Madhwaraj

problem of unemployment and improving the conditions prevailing in Jammu and Kashmir.

Shri L. Ganesan (Marumalarchi Dravida Munnetra Kazhagam) said that Indian Railways is not scientifically developed as compared to other countries in matter of modernization of the signalling system, energisation of tracks, upgradation of safety related equipment, adopting of the latest technology in designing passenger coaches, wagons and loco conversion of routes from meter gauge to broad gauge. He also drew the attention of the Minister to the widening of a railway over-bridge in Tiruchirapally.

Shri P.C. Thomas (Indian Federal Democratic Party) said that adequate funding has not been provided for the pending projects in his State. He also requested that since there was no zone for Kerala, there were technical as well as administrative delays; therefore, a zone should be created for Kerala.

Shri K. Francis George (Kerala Congress) said that to promote tourism potential a Hill Railway in the model of Darjeeling Heritage Hill Railway be established in Iduki district. Kayamkulam-Ernakulam line via Kottayam and Alapuzha be doubled and a separate Railway Zone should be created for the State besides construction of a new Railway Station at Nedumbasserry near Cochin International Airport.

Shri Asaduddin Owaisi (All India Majlis-e- Ittehadul Muslimeen) said that since there is a proposal that approximately 20,000 people would be recruited in the Railways, the Minister should issue an order stating that the minorities be given substantial representation in it.

Dr. Arun Kumar Sarma (Asom Gana Parishad) requested the Minister to introduce more trains from the South bank of Brahmaputra and to increase the frequency of trains to important places like Mumbai and Bangalore.

Shri Ramdas Athawale [Republican Party of India (A)] said that the announcement to launch a specific drive for the recruitment of the Scheduled Castes and Scheduled Tribes was a welcome step.

Shri Rajesh Verma (Bahujan Samaj Party) appreciated the Budget for making provisions to complete the backlog of reservation meant for SCs/STs and Backward Classes. He requested the Minister to introduce a new train in Bareilly, Sitapur *via* Burwal and Gaunda broad gauge railway lines for the benefit of the people of Sitapur.

Shri Joachim Baxla (Revolutionary Socialist Party) while expressing his thanks to the Minister said that Alipurduar-Ranchi train was a

welcome step. He further stated that a Recruitment Office should be opened at Alipurduar.

Shri Bir Singh Mahato (All India Forward Bloc) requested the Minister to conduct a survey of Jhargram-Purulia Railway line, to take up construction of a New Railway Line, and also to open a new train from Howrah to Mumbai *via* Purulia.

Prof. M. Ramadass (Pattali Makkal Katchi) congratulated the Minister for providing a surplus Budget despite financial constraints and also for identifying the challenging areas and deficiencies in the Railway Transport System.

Replying to the discussion on 14 July 2004, the Minister of Railways, Shri Lalu Prasad said that the Railways had resolved to implement the Common Minimum Programme in the Railway Budget. The Railways had taken a number of steps for the benefit of the poorest of the poor of our society. He promised the members that the Government would take the Railways to the remote areas and accordingly some new trains were introduced, some trains were extended and also the frequency of some trains were increased.

The Government had taken a number of steps for the safety and security in the Railways resulting in appreciable decrease in railway accidents. The Government had changed its policy in regard to railway scrap, contracts and lease in railways. The Government would take stringent action against the mafia groups. The Minister assured that he would do his best to have perceptible improvement in passenger amenities. Assuring the members belonging to Jammu and Kashmir, the Minister said that the Government would complete all the ongoing projects in Jammu and Kashmir within the stipulated time.

Later, all the Demands for Grants on Account (Railways) were voted in full. The Appropriation (Railways) Vote on Account No.2 Bill, 2004 was passed.

The Budget (General), 2004-2005: Presenting the Budget on 8 July 2004, the Minister of Finance, Shri P. Chidambaram said that the Prime Minister, Dr. Manmohan Singh in his Address to the Nation had said that he would make every effort to be true to the mandate of the Government.

The United Progressive Alliance (UPA) had given to itself and to the people of the country, a Common Minimum Programme. The Government had since adopted it as the National Common Minimum Programme (NCMP). The Programme had spelt out seven clear economic objectives

like (i) maintaining a growth rate of 7-8 per cent per year for a sustained period; (ii) providing universal access to quality basic education and health; (iii) generating gainful employment in agriculture; (iv) assuring 100 days employment to the breadwinner in each family at the minimum wage; (v) focusing on agriculture and infrastructure; (vi) accelerating fiscal consolidation and reform; and (vii) ensuring higher and more efficient fiscal devolution.

The Planning Commission had advised the Ministries and the Departments to redefine their priorities and redraw their programmes in accordance with the NCMP. Besides, new programmes or schemes would have to be launched, and old ones restructured, the Minister added.

The Government would follow a 5-year road map to achieve the NCMP objective of bringing about rapid growth with stability and equity. It was also committed to striking a fine balance among the three mutually reinforcing objectives of growth, stability and equity.

One of the greatest assets of India was its human resources, its people. Empowering the people, especially the poor, with universal access to education and health, and facilitating their full participation in the growth process through gainful employment would enhance their welfare. It would also reinforce the growth process itself. The NCMP envisaged the creation of a Backward States Grant Commission to be used for identifying productive assets in such States.

Assuring the members, the Minister said that crucial programmes such as Food for Work, Sarva Shiksha Abhiyan, Midday Cooked-Meal Scheme, Basic Health Care, Railway Modernisation and Safety, Accelerated Irrigation Benefit Programme, Drinking Water, Investment in Agriculture, Provision of Rural Amenities in Urban Areas (PURA), Roads and Science and Technology, including Bio-Technology, would receive priority and would be provided with additional funds. Investment and growth would create new job opportunities for young men and women. Work had begun on National Employment Guarantee Act, he added.

The Minister had also presented a snapshot of the goals that he had set for himself like (i) Doubling agricultural credit in three year, accelerating the completion of irrigation projects and investing in rural infrastructure; (ii) Providing farm insurance and livestock insurance; (iii) Improving agricultural product markets and promoting agri-business; (iv) Drinking water for all; (v) Expanding water harvesting, watershed development and minor-irrigation and micro-irrigation schemes; (vi) Enhancing investment in industry-public and private, domestic and foreign to create new jobs;

(vii) Creating space for small-scale industry to thrive and grow; (viii) Electricity for all; (ix) Universal access to telecommunication facilities; (x) More housing for the poor; (xi) Access to medical care through health insurance; and (xii) Encouraging savings and protecting the savings of senior citizens.

The Minister stated that it was his goal to make the environment in India attractive for investors. He proposed to establish an Investment Commission to achieve the goal. The Commission would have the broad authority of the Government to engage, discuss with and invite domestic and foreign businesses to invest in India. The Government was committed to the orderly development and functioning of the capital markets. A number of steps had been taken to broaden and deepen the capital markets as well as to strengthen the regulatory regime.

In the Budget Estimates for 2004-05, the total expenditure was estimated at Rs. 477,829 crore, of which plan expenditure was Rs. 145,590 crore and non-plan expenditure was estimated at Rs. 332,239 crore. The Minister estimated the total revenue receipts of the Central Government at Rs. 309,322 crore and the revenue expenditure at Rs. 385,493 crore. Consequently, the revenue deficit was estimated at Rs. 76,171 crore equivalent to 2.5 per cent of GDP, which was one percentage point below the corresponding estimate of 3.5 per cent of GDP in 2003-04 according to the provisional actuals. The fiscal deficit was estimated at Rs. 137,407 crore, which was 4.4 per cent of the estimated GDP.

Coming to taxation proposals, the Minister said that the NCMP had promised that tax rates would be stable and conducive to growth, compliance and investment. The Government remained committed to moderation and stability in tax rates, to increasing revenues from direct taxes and excise duties and to expanding the service tax net because the service sector accounted for 51 per cent of GDP. The Minister further stated that he would use tax policies to provide incentives to certain kinds of investments and to influence certain kinds of behaviour in the market.

Coming to direct tax proposals he said that no one with an income upto Rs.1,00,000 would be required to pay any income tax any more. He proposed to give relief to certain sections of deserving taxpayers. Accordingly, he proposed to exempt from income tax the family pension received by widows, children and nominated heirs of members of the armed forces and the paramilitary forces killed in the course of operational duties.

Coming to indirect tax proposals, he stated that customs duties would be brought down in a measured way. He intended to align India's tariff structure to those of ASEAN countries. There should be a uniform rate of tax on goods and services. He pointed out that customs tariffs and excise duties were inter-related. While considering the tax regime for any sector, one must look at both customs duties and excise duties applicable to that sector.

He proposed certain concessions to different sectors like agriculture, health, textiles, etc. The Information Technology sector had, by and large, been kept out of the reach of the tax collectors. The Minister proposed to take a major step towards integrating the tax on goods and services.

Concluding his speech, the Minister said that the countries of the world had set for themselves the Millennium Development Goals and India's date with destiny was not at the end of the Millennium but in the year 2015.

The general and combined discussion on the Budget (General), 2004-2005; Demands for Grants on Account (General), 2004-2005; and the Demands for Excess Grants (General), 2001-2002 took place on 14, 16, 20 and 21 July 2004.

Initiating the discussion on 14 July 2004, Prof. Vijay Kumar Malhotra termed the Budget as anti-poor, anti-worker, anti-farmer, anti middle class and anti-development and this he said, would lead to inflation.

Participating in the discussion,* Shri P. K. Vasudevan Nair (CPI) said that the emphasis of the Budget was on the regeneration of the

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* Others who participated in the discussion were: Sarvashri K.S. Rao, Rupchand Pal, Mohan Singh, K.C. Palanisamy, Suresh Prabhakar Prabhu, Harin Pathak, Jyotiraditya Madhavrao Scindia, Devendra Prasad Yadav, Prasanna Acharya, Brajesh Pathak, Rajiv Ranjan (Lalan) Singh, H.D. Devegowda, P. Karunakaran, Maj. Gen. (Retd.) B.C. Khanduri, Ajay Maken, Ramji Lal Suman, Omar Abdullah, Narendra Kumar Kushwaha, E.G. Sugavanam, S. Bangarappa, Pawan Kumar Bansal, P.A. Sangma, Ram Kripal Yadav, Kharabela Swain, Madhusudan Mistry, Shailendra Kumar, Prakash Vishwanath Paranjpe, Mitrasen Yadav, Alok Kumar Mehta, Lonappan Nambadan, Ratilal Kalidas Varma, R. Prabhu, Parasnath Yadav, Bhanwar Singh Dangawas, Jai Prakash, Lal Mani Prasad, Suresh Chanabasappa Angadi, Pradeep Gandhi, Anwar Hussain, Santosh Kumar Gangwar, Lalit Mohan Suklabaidya, Suravaramsudhakar Reddy, Karunakara G. Reddy, Manjunath Kunnur, Manoranjan Bhakta, Tathagata Satpathy, S.K. Kharventhan, Suresh Chandel, Dr. M. Jagannath, Dr. Rattan Singh Ajnala, Dr. Col. (Retd.) Dhani Ram Shandil, Dr. Sebastian Paul, Dr. K.S. Manoj, Harisinh Chavda, Dr. Karan Singh Yadav, Prof. K. M. Kader Mohideen, Prof. Chander Kumar, Smt. Archana Nayak, Smt. Karuna Shukla, Smt. Pratibha Singh and Smt. Manorama Madhwaraj

agrarian economy, of the small-scale and traditional industrial sector so that more employment would be created and the weaker sections of the society would be taken care of.

Shri Sukhdev Singh Dhindsa (Shiromani Akali Dal) said that farmers constituted more than 60 per cent of the country's population. We must, therefore, look into the root cause of the problem in agriculture. He further stated that farmers' debt should be waived.

Prof. M. Ramadass (Pattali Makkal Katchi) said the Budget addressed the current challenges faced by the economy and its people. The Budget was agriculture oriented and there were measures for industrial development, development of the small scale industries, traditional industries etc. The Finance Minister had established a Board for Reconstruction of Public Sector Enterprises which showed greatest concern for the public sector activities. To build up a congenial relationship with the State Governments, the Finance Minister had made a provision in the budget that 28 per cent of the total resources of the Centre would be allocated to the State Governments.

Shri L. Ganesan (Marumalarchi Dravida Munnetra Kazhagam) said that more importance to Agriculture and Rural Development had been given and more funds were allocated for them. Irrigation should be taken into account in a big way. Besides, the inter-state rivers should be nationalized.

Shri Bir Singh Mahato (All India Forward Bloc) said that the Backward States Grant Commission would strengthen the federal structure of the nation and eliminate regional disparities.

Shri Joachim Baxla (Revolutionary Socialist Party) said that the Minister of Finance had made an effort by making special provision in the Budget for the progress of education, employment, health, rural areas and the farmers. Shri Baxla demanded constitution of Indo-Bhutan joint river commission so that India's national resources could be protected. He further stated that the Government should keep in mind the Common Minimum Programme while taking any such steps.

Dr. Arun Kumar Sarma (Asom Gana Parishad) requested the Finance Minister to restore all incentives granted to the industries operating in the North-eastern Region and demanded additional incentives for the region.

Shri W. Wangyuh Konyak (Nagaland Peoples Front) said that a five-year road map was required to meet the fiscal deficit of the North Eastern Region as the tax base in that region is very small and

negligible. In order to have a balanced economic growth of the country, restructuring of debt was absolutely necessary for the North-eastern Region.

Ms. Mehbooba Mufti (Jammu and Kashmir Peoples Democratic Party) said that we must provide the benefits of our resources to the minorities as well as the deprived sections. She further stated that whatever confidence building measures were taken up with Pakistan and initiated at Kashmir had started yielding results.

Shri Asaduddin Owaisi (All India Majlis-e-Ittehadul Muslimeen) said that in the Budget, allocation for the minorities had been increased, especially for the National Minorities Finance Development Corporation.

Shri Ramdas Athawale [Republican Party of India(A)] said that it was the responsibility of the State as well as the Central Government to provide education to the children and they should fulfill that responsibility.

Shri K. Francis George (Kerala Congress) said that the main thrust of the Budget had been to boost the agricultural sector of the country. Thought should be given to organic farming and to the construction of bio-gas plants which would go a long way in boosting the agriculture sector.

Replying to the discussion on 21 July 2004, the Minister of Finance, Shri P. Chidambaram said that the mandate of 2004 required him to protect and promote that part of the public sector, which created wealth and made India stronger and at the same time would create greater space for the private sector. This Budget emphasised on education, health, nutritious noon-meal scheme, drinking water programme and universal health insurance scheme, particularly targeted towards families below poverty line. Investment in agriculture, industry and services was the key to growth, employment and income. Therefore, agriculture occupied a pride of place in the Budget and every initiative that had been taken in agriculture was investment oriented. The Government had taken new initiatives in the area of agro business. For the first time, the Government had given tax exemption to agro business, launched a National Horticulture Mission which would encompass the whole country. The Government had announced a major programme for restoring water bodies.

Coming to the power sector, the Minister stated that ten power projects had achieved financial closure with the total capacity of 3472 megawatts. Seven other projects with a total capacity of 8,067 megawatts were likely to achieve financial closure. The IIG system had

worked well and the Minister was extending the system to other areas like airports, seaports and tourism.

Coming to employment, the Minister said that the Food for Work Programme was the key to address the immediate problem of unemployment. The additional investment that was being made in agriculture, industry, private investment and public investment would create jobs.

A lot had been done for the States in the Budget. The Government had reduced the interest on loans to States from 10.5 per cent to 9 per cent. The Government had also got a target of Rs. 40,000 crore in debts swap. The Minister proposed to consult the States and allow them to borrow more from the market so that they could depend less on the Central loans resulting in lowering of the cost ratio.

All the Demands for Grants on Account (General) 2004-2005, all the Demands for Excess Grants (General) 2001-2002 were voted in full. The Appropriation (Vote on Account) (No.2) Bill, 2004; and the Appropriation (No. 2) Bill, 2004 were passed.

Statement by the Minister of Human Resource Development on the Reconstitution of the Central Advisory Board of Education (CABE): Making a statement in the House on 6 July 2004, the Minister of Human Resource Development, Shri Arjun Singh, said that the Central Advisory Board of Education (CABE), the highest advisory body to advise the Central and the State Governments in the field of education, was first established in 1920, revived in 1935 and was periodically reconstituted. It was not reconstituted after 1994. The CABE had an important role to play in the present juncture in view of the significant socio-economic and socio-cultural developments taking place in the country and for the review of the National Policy on Education. It was a matter of importance that the Central and the State Governments, the educationists and the people representing all interests should increase their interaction and evolve a participative process of decision-making in education, which would enhance the federal structure of our polity.

The Government had accordingly decided to constitute the CABE with the Union Minister of Human Resource Development as the Chairman and the Minister of State for Human Resource Development as the Vice-Chairman, respectively. In addition to the Government representatives, one Minister in charge of Education from each State Government–and the Lt. Governor or the Minister in charge of Education in each Union Territory Administration should be members of the Board. The Board should have four members to be elected from the Lok Sabha and two members from the Rajya Sabha respectively, along with

ex officio members and permanent invitees representing various institutions and departments engaged in education and allied activities. In addition, the CABE should have 32 eminent persons representing different walks of life.

The Minister further stated that the function of the CABE would be to (i) review the progress of education from time to time ; (ii) apprise the extent and manner in which the Education Policy has been implemented by the Central and the State Governments; (iii) advise regarding coordination between the Central and the State Governments/ Union Territory Administrations, State Governments and non-governmental agencies for educational development in accordance with the Education Policy.

Statement by the Minister of Home Affairs regarding the Dissolution of the Arunachal Pradesh Legislative Assembly: On 9 July 2004, making a Statement in the House, the Minister of Home Affairs, Shri Shivraj V. Patil said that as per the existing constitutional provision, the total number of Ministers including the Chief Minister in the Council of Ministers were to be brought down to 15 per cent of the total number of members of the Legislative Assembly but not less than twelve.

The Legislative Assembly of Arunachal Pradesh had a total of 33 Ministers. All the Ministers except the Deputy Chief Minister tendered their resignations to the Chief Minister. On the advice of the Chief Minister, the Governor accepted the resignation of 21 ministers on 6 July 2004.

After downsizing, the Council of Ministers met on the same day and resolved to recommend to the Governor dissolution of the Arunachal Pradesh Legislative Assembly and authorized the Chief Minister, Shri Gegong Apang to advise and recommend to the Governor dissolution of the Assembly.

The Governor, in exercise of the powers conferred under Article 174 (2) (b) of the Constitution and on the recommendation of the Council of Ministers dissolved the Arunachal Pradesh Legislative Assembly with effect from 6 July 2004. He also sent a report to this effect to the President on 7 July 2004.

Meanwhile, on 7 July itself, a group of members of the Legislative Assembly belonging to different parties met the Governor and presented a petition terming the dissolution of the State Assembly as illegal and undemocratic. The Governor had sent a letter to the President of India on 7 July 2004 recommending action under Article 356 (1) (C) of the Constitution. Later, in the evening of 7 July 2004, the full Cabinet met

the Governor and impressed upon him that the dissolution of the State Assembly under Article 174 (2) (b) of the Constitution was irreversible and absolute and hence there was no justification in sending the communication to the President recommending implementation of the provisions under Article 356 (1) (C). The Governor subsequently wrote another letter to the President stating to ignore the earlier letter recommending action under Article 356 (1) (C) as the same was signed under duress. This letter, dated 7 July 2004, was received by the President on 8 July 2004. Later, the Governor wrote another letter to the President stating that he had further reviewed the situation in the light of the representations submitted by various groups of the Legislative Assembly and also the constitutional aspects of the issue. He had stated that the dissolution of the Legislative Assembly already notified was final and no review was permissible. He had further mentioned that the law and order situation was normal as on date and there was no constitutional breakdown, therefore his earlier recommendation to invoke Article 356 (1) (C) might be ignored.

Statement by the Prime Minister regarding sharing of water by Punjab, Haryana, Rajasthan and Himachal Pradesh: Making a Statement in the House on 13 July 2004, the Prime Minister, Dr. Manmohan Singh said that the Government shared the concerns expressed regarding the latest developments pertaining to the sharing of waters between the States concerned. The Government would have to find the lasting solutions to resolve the matter, protecting the unity and integrity of the country and the interests of the States concerned. He had invited the Chief Ministers of Punjab, Haryana, Rajasthan and Himachal Pradesh for a discussion to find an amicable solution to the problem. The Leaders of the Opposition of both the Houses had assured their full support in resolving the issue.

Statement by the Minister of Home Affairs regarding Shri Amarnathji Yatra, 2004: In his statement made in the Lok Sabha on 15 July 2004, the Minister of Home Affairs, Shri Shivraj V. Patil said that the Amarnathji Yatra, 2004 was scheduled to begin on 1 August 2004 and conclude on 30 August 2004.

The Yatra had been undertaken on two routes, *viz.* the traditional route *via* Pahalgam and a shorter route *viz.* Baltal. The security arrangements for the Yatra started from Jammu from where Pilgrims were to be sent in convoys with escorts. The Base Camps at Pahalgam and Baltal were to be provided with adequate security protection. The entire area between Pahalgam and Baltal to the holy cave was put under a three-tier security cover. He further stated that the routes to

Shri Amarnathji Cave passed through difficult terrain and were subject to extreme weather conditions.

During the Amarnath Yatra 2000, 2001 and 2002, a number of violent incidents had taken place. Following the terrorist incidents at Pahalgam on 1 August 2000, a Committee enquired into the incident and recommended that the duration of the Yatra should be restricted to one month. The Committee further recommended that the number of Yatris should be strictly controlled and limited to the capacity of administrative and security infrastructure.

Ever since terrorism started in the State, additional resources had to be pumped in ensure proper security and administrative arrangements for the Yatra.

A suggestion was made by Shri Amarnathji Shrine Board and some social and political organisations to extend the period of the Yatra to two months. But in the light of the security scenario explained, the Government did not find it feasible to extend the period of the Yatra. However, considering the demand and following a meeting between the Governor and the Chief Minister, the Yatra period was extended and it had been decided that the Yatra would start on 15 July with the first group of Yatris from Baltal route reaching the Holy Cave on 16 July and from the Pahalgam side on 17 July.

Statement by the Prime Minister regarding the Drought situation in Maharashtra: Making a Statement in the House on 21 July 2004, the Prime Minister, Dr. Manmohan Singh said that so far as Maharashtra was concerned, in 2003-2004 the Government of Maharashtra had declared 71 talukas in 11 districts covering 28 per cent of the State as drought affected. In accordance with the established practice, assistance was considered and Rs.77.46 crore was released from the National Calamity Contingency Fund and four lakh tonnes of foodgrains valued at Rs. 400 crore were also allotted to the State.

A Central team visited Maharashtra during 2 to 5 April 2004 to assess the requirement of further assistance by the State Government. Based on its report and after making adjustment to the Calamity Relief Fund, Rs.165.33 crore from the National Calamity Contingency Fund was released to the State on 3 June 2004. Further, three lakh tonnes of foodgrains were also released. The total assistance given to the State for drought in 2003-04 was Rs.208.14 crore towards the central share of Calamity Relief Fund, Rs.242.79 crore from the National Calamity Contingency Fund and seven lakh tonnes of foodgrains amounting to Rs.700 crore.

Subsequently, the State Government had submitted another memorandum seeking additional assistance. With a view to revising the norms of assistance in the event of particularly prolonged calamities, a Committee consisting of representatives of Ministries concerned and Relief Commissioners of Andhra Pradesh and Orissa had been constituted with the Agriculture Secretary as its Chairperson. If the Committee recommended high allocations, that would be considered positively.

As far as the status of monsoon was concerned, out of the 36 meteorological subdivisions, 20 had received normal/excess rainfall, whereas in 16 subdivisions, the cumulative rainfall had been deficient/ scanty.

Telengana and Rayalaseema regions of Andhra Pradesh, Vidharbha and Marathwada regions in Maharashtra, Western Madhya Pradesh, Rajasthan, Southern Punjab, Haryana, Western Uttar Pradesh and Jharkhand suffered from rain deficiency ranging from 25 per cent to 51 per cent against the normal rain.

The Ministry of Agriculture was keeping a close watch on the situation. The Area Officers of the Ministry of Agriculture in charge of Andhra Pradesh, Madhya Pradesh, Maharashtra and Rajasthan, Haryana and Punjab were instructed to visit these States and assess the ground level situation and discuss with the concerned State Governments the preparation regarding the contingency crop plan and its logistical details. The officers had also reviewed drought relief preparedness planning in these States.

All the State Governments had drawn up their plans to ensure drinking water supply in the areas affected by deficient or scanty rain in the eventuality of shortage of water.

The Prime Minister further stated that he had reviewed the situation with the Ministers and Secretaries concerned and asked the Cabinet Secretary to review the situation on a weekly basis. Assuring the Members, the Prime Minister said that the Government would spare no efforts in providing all possible assistance to the people in the eventuality of a drought.

Statement by the Minister of Commerce and Industry regarding the Framework Agreement adopted by the World Trade Organisation on 1 August 2004: Making a Statement in the House on 16 August 2004 on the proceedings of the General Council Meeting of the WTO held in Geneva where a Framework Agreement was adopted by the Members, the Minister of Commerce and Industry, Shri Kamal Nath said that the Cancun Ministerial Conference of the WTO held in September 2003

ended in a stalemate since consensus could not emerge among Member countries on major issues under the Doha Work Programme. Since the multilateral process was important to India, it had been taking an active part in the revival of the Doha process by interacting with both the developing and the developed countries. The next Ministerial Conference is scheduled to be held in Hong Kong in December 2005.

He further announced that India had been able to achieve all the major objectives in the Framework Agreement. In the crucial area of Agriculture, it had been agreed that all forms of export subsidies would be eliminated by an end date. The flexibility available to the developing countries like India to provide certain subsidies for export of agricultural products would continue to be available for a longer period, beyond the elimination of export subsidies by the developed countries.

On trade distorting domestic support, it had been possible to ensure that an immediate commitment in the form of 20 per cent reduction in the overall trade distorting support would be made in the very first year itself. Besides, the permissible *de minimis* support in respect of developed countries would be reduced from the present level of five percent, while developed countries like India that allocate almost all *de minimis* support to subsistence and resource to poor farmers would not have any obligation to reduce their existing level of the *de minimis* support of 10 per cent.

On market access, the Agreement envisaged that higher rates of tariff would face higher levels of cuts. The Framework, while providing for less than full reciprocity in tariff reduction commitments, also envisaged additional flexibility in the treatment of some of the tariff lines, through either no cuts or through reduced cuts.

The Framework Agreement had also made a firm commitment to addressing the specifically development-related issues like Implementation Issues and Operationalisation of Special and Differential Treatment Provisions on a time-bound basis.

One of the significant achievements in the Framework Agreement was the removal of three of the four Singapore issues on which India had objections namely, Investment, Procurement and Competition. The fourth issue, Trade facilitation was an area of special interest to India. Trade facilitation essentially meant simplification and transparency in customs procedures, cutting down on transaction costs, etc. Reforms in the customs procedures of other countries as well and an effective cooperation mechanism between customs administration would greatly benefit Indian exporters.

The Framework Agreement was the first stage towards conclusion of the Doha Work Programme since it laid down the principles and criteria. India was committed to continuing to work in close cooperation with other WTO Members and groups on issues of interest in the next stage of negotiations.

The Minister further stated that India's approach to the negotiations would be dictated by its national interests, especially India's concern for the millions of the farmers who were dependent for their livelihood on agriculture, as also India's objective of stimulating economic activity through export of its goods and services.

Discussion under Rule 193 regarding situation in Iraq: Initiating the discussion on 6 July 2004, Shri P.K. Vasudevan Nair of the Communist Party of India said that imperialism and colonialism of a new type was raising challenges before humanity as a whole and before the Third World countries in particular. That was what had happened in Iraq. India sympathized with the people of Iraq. India had excellent relations with Iraq. He expressed India's solidarity with those people who fought against the biggest imperialism of the 21st Century.

Intervening in the discussion, the Minister of Petroleum and Natural Gas and the Minister of Panchayati Raj, Shri Mani Shankar Aiyar said that the ancient relationship had animated the relationship between people of India and people of Iraq. There would be enormous opportunities for India to participate in the constructive activity of re-building Iraq to the glory which it had and which it deserved to have again.

Participating in the discussion*, Prof. Ram Gopal Yadav (Samajwadi Party) said that having regard to the existing relations between India and Iraq, we should try to reciprocate the friendship and favours that had been showered by the Iraqi people.

Shri M.P. Veerendra Kumar (Janata Dal Secular) alleged that whatever had happened in Iraq was against humanity and that should be condemned.

Shri Asaduddin Owaisi (All India Majlis-e-Ittehadul Muslimeen) said that the need of the hour was to revive the Non-Aligned Movement. World peace could be achieved through Non-Aligned Movement.

Replying to the discussion, the Minister of External Affairs, Shri K.

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* Others who participated in the discussion were: Sarvashri Varkala Radhakrishnan, Madhusudan Mistry, Alok Kumar Mehta, Ilyas Azmi, Omar Abdullah and Rupchand Pal

Natwar Singh said that the Resolution that was passed by the Security Council on 8 June 2004, was welcomed by the International Community and by India too. India's Foreign Policy was responsive to the requirements, demands and aspirations of the people of the 21st Century. India had offered her support and experience to the political process in the development of the Constitution, electoral process, census and vote registration in Iraq. He reiterated that the relations between the people of India and Iraq had been historical and close. India was looking forward to Iraq's assuming full and real sovereignty over their destiny as early as possible. India would continue to extend the fullest assistance to the economic and political reconstruction of Iraq.

Discussion under Rule 193 regarding Removal of Governors of four States on the basis of their Ideology: Initiating the discussion on 12 July 2004, Shri L.K. Advani of the Bharatiya Janata Party stated that it was around early 1980s, that the issue of Centre-State relations came to the forefront. It was therefore, decided to set up a Commission, the Sarkaria Commission, to study the problem of Centre-State relations.

A full chapter of the Sarkaria Commission Report refers to the role of the Governors. The earlier concept was that like the President even the Governor would be elected. But subsequently, after deliberation, it was concluded that there was no need for an elected Governor. If the Governors were elected and also the Chief Ministers then the elected Governors would not be the constitutional heads. Therefore, it would be desirable that the Governors be appointed by the President. Accordingly, Article 156(1) of the Constitution says that the Governors should hold office during the pleasure of the President and the tenure of the Governors should be five years.

The Sarkaria Commission had given a lot of space to discussing that the tenure of the Governor should be secured. It was of the opinion that the intention of the Constitution makers in prescribing a five-year term for the office of the Governor appeared to be that the President's pleasure on which the Governor's tenure was dependent, would not be withdrawn without the cause shown. The Inter-State Council which was set up in 1990 to examine the matters of common interest between the States or between the Union and States considered the matter and accepted the recommendations of the Sarkaria Commission that the Governor's tenure of office of five years should not be disturbed except very rarely and that too for some compelling reasons.

Shri Advani appealed to the Home Minister to accept the recommendation of the Sarkaria Commission in this regard. He further stated that in selecting a person to be appointed as the Governor of a State,

there should be effective consultation with the State Chief Ministers. Even in the case of removal or transfer of a Governor, Justice Venkatachalaiah Commission said that it should be done in consultation with the Chief Minister of the concerned States.

Participating in the discussion*, Prof. Ram Gopal Yadav (Samajwadi Party) said that the concerned Chief Ministers should be consulted before the appointment of the Governors. There should be a clear provision for removing the Governors by making an amendment to the Constitution.

Shri Sukhdev Singh Dhindsa (Shiromani Akali Dal) stated that there was no need to replace the Governors in the manner it had been done.

Prof. M. Ramadass (Pattali Makkal Katchi) said that the Governors are not only revocable power agents of the President in the States but they have to continue in office only during the pleasure of the President. Therefore, there was no impropriety in the removal of these four Governors. If it was so, it was only for the Supreme Court to decide and say that there had been a violation. Therefore, when the Government removed these four Governors, they have not removed the institution of the Governor but only the erring Governors.

Shri Ramdas Athawale [Republican Party of India (A)] said that the Governors were appointed as per the law of the land and had been removed in that very way.

Shri Asaduddin Owaisi (All India Majlis-e-Ittehadul Muslimeen) said that the recommendation of the Sarkaria Commission was that the Government of the day should seek the consent of the Chief Minister before appointing the Governor for that particular State.

Replying to the discussion, the Minister of Home Affairs, Shri Shivraj V. Patil said that the recommendation made by the Sarkaria Commission, decisions of the Inter-State Council and also the report of the Review Committee on the working of the Indian Constitution were of advisory nature.

Article 156 (1) of the Constitution said that the Governor should hold office during the pleasure of the President. A term of five years was given to him but that was subject to the pleasure of the President. There were many constitutional functionaries who could be removed

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* Others who participated in the discussion were: Sarvashri Pawan Kumar Bansal, Mohammad Salim, Devendra Prasad Yadav, Santosh Gangwar, S.V. Kishore Chandra Deo, Chandrakant Khaire, Mohan Singh, Bhartruhari Mahtab, C.K. Chandrappan and Dr. M. Jagannath.

only by following a particular procedure laid down by the Constitution.

He further stated that the Government would have to refer to the decision taken by the Constituent Assembly. As regards the precedents, the Governors of Mizoram, Gujarat and Goa were asked to give their resignations and they tendered their resignations on 13 April 1998. Some Governors were also removed in 1991 and 1992. If the Government had done this by following the law and the precedents, it should not be told that it would be an invitation to emergency.

Discussion under Rule 193 regarding the Flood and Drought Situation in the Country: Initiating the discussion in this respect on 16 August 2004, Shri Prabodh Panda of the Communist Party of India said that due to scanty rains, the situation was alarming in the States like Punjab, Haryana, Gujarat, Maharashtra, Andhra Pradesh, Jammu and Kashmir, Himachal Pradesh, West Uttar Pradesh, Orissa and southern parts of West Bengal. The situation improved due to the revival of the South-West Monsoon. But, the damage had been done since the initial monsoon trapped the farmers into early sowing. He further said that the Government should think over it and come out with certain programmes for late sowing, for cultivation and other things.

On the other hand, the member stated, there was severe flood situation in various parts of the country. The Indo-Bhutan border of Assam witnessed one of the worst floods of the decade. The north-eastern parts of Bihar got affected. The pressure of water mounted so much that the banks and embankments got breached. The Railway lines and the National Highways got breached. The flood situation in Bihar and Assam should be taken as a case of paramount importance. He, therefore, wanted to know whether the Government was prepared to meet the challenge adequately or not and also urged the Government that the technology of the Meteorological Department should be upgraded so that they can predict properly.

Participating in the discussion* Shri Rajesh Verma (Bahujan Samaj Party) said that silt had accumulated in the rivers in various States

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* Others who participated in the discussion were: Sarvashri Madhusudan Mistry, Kashiram Rana, N.N. Krishnadas, Ramji Lal Suman, Devendra Prasad Yadav, Suresh Prabhu, Kirip Chaliha, Sushil Kumar Modi, Mahboob Zahedi, Bhartruhari Mahtab, Kishan Singh Sangwan, D.K. Audikesavulu, Raghunath Jha, Shailendra Kumar, Khiren Rijiju, Sita Ram Singh, Narayan Chandra Borkataky, Arun Kumar Vundavalli, Ram Kripal Yadav, Avinash Rai Khanna, S.K. Bwiswmuthiary, Anwar Hussain, M.A. Kharabela Swain, Ravi Prakash Verma, Jai Prakash, Anirudh Prasad Yadav *alias* Sadhu Yadav, Dahyabhai Vallabhbhai Patel, Alok Kumar Mehta, Ch. Lal Singh, Smt. Daggubati Purandeswari and Smt. Minati Sen

which needed to be desilted. If the depth of the rivers would be increased in a planned manner then that would give relief from floods in future.

Shri Sukhdev Singh Dhindsa (Shiromani Akali Dal) said that floods had caused immense loss in Punjab. The people needed immediate relief.

Dr. Arun Kumar Sarma (Asom Gana Parishad) said that all the rivers were filled up with silt and sand, a major problem faced by the flood affected States. The Government should send immediate relief material for those affected farmers. He further hoped that the Government would come forward with some specific plans and programmes for a permanent solution of the flood problems.

Shri Bir Singh Mahato (All India Forward Bloc) said that the northern part of West Bengal was first affected by flood and later by drought like situation. The western part of West Bengal was also suffering from drought. Therefore, relief measures should be taken up immediately and interest on loans to agriculturists should be converted into long-term loans. Food-for-Work Programme should be started and assistance for alternative farming should be given.

Shri M.P. Veerendra Kumar of Janata Dal (Secular) said that the drought and flood situation had always been serious in Kerala. The problem of Kerala was not considered as a national problem which should be corrected.

Shri Ramdas Athawale (Republican Party of India) (A) said that both the Central and the State Governments should ponder over the issue of recurring floods in Bihar and Assam. The Central Government must provide funds to the State to regulate the flow of water to tackle drought.

Replying to the discussion on 17 August 2004, the Minister of Home Affairs, Shri Shivraj V. Patil said that the Government would have to bear in mind what could be done to overcome the difficulties caused by the flood and drought conditions and what kind of relief could be given. He further stated that the State Governments were not only concerned with relief but were concerned with rehabilitation, restoring the infrastructure and planning for the future. But, it was beyond the authority available to the Home Ministry to provide that kind of money for them to meet this kind of demand. The Home Ministry is mainly concerned with relief and something for rehabilitation.

There were two kinds of funds available with the Ministry *viz.* the Calamity Relief Fund (CRF) and the National Calamity Contingency

Fund (NCCF). The route to be followed in overcoming the permanent problem was the National Development Council. The CRF was constituted as per the recommendations given by the 11th Finance Commission. The States could utilise the money to meet the calamities occurring in their States. As the amount of money was too meager under the CRF, another fund the NCCF was created which was now used to give money over and above what was given under CRF.

As far as drought in Bihar was concerned, the Government would take care of that. The Government would decide as to what kind of steps should be taken to help people if the State had suffered from the drought for one year, two years or three years.

The permanent solution to flood was that dams should be constructed. Secondly there should be linkage of rivers. Thirdly the work of desilting had not been taken up to the desired level. Fourthly, there was a need to give meteorological information in order to prevent damage from floods.

As far as Assam was concerned, their demand of Rs. 6 crore, would have to be looked into whether it could be given through the CRF or the NCCF, the planning and other things. The concept of disaster management was totally new and the Central Government was trying to create things like policies, law, machinery and communication facilities, etc. in this regard.

B. OBITUARY REFERENCES

During the Session, obituary references were made on the passing away of Shri Ramachandra Veerappa, sitting member; Sarvashri Ram Kinkar, Daulat Mal Bhandari, Vitthal Baburao Tupe, Ajay Mushran, Jang Bahadur Singh Patel, M.R. Krishna, Abdul Ghafoor, Dr. K. Venkatagiri Gowda and Hirendra Nath Mukherjee, all former members.

On 16 July 2004, the House mourned the loss of young innocent lives in the fire accident at Lord Krishna School, Kumbakonam, District Thanjavur, Tamil Nadu.

On 16 August 2004, reference was made to the terrorist attacks during the Independence Day celebrations in Assam and Jammu and Kashmir which resulted in the death of and critical injuries to children and many others.

The members stood in silence for a short while as a mark of respect to the memory of the deceased.

RAJYA SABHA

TWO HUNDRED AND SECOND SESSION*

The Rajya Sabha, which met for its Two Hundred and Second Session on 5 July 2004, was adjourned *sine die* on 26 August 2004, and was then prorogued on 30 August 2004.

A resume of some of the important discussions held and other business transacted during the Session is given below:

A. STATEMENTS / DISCUSSIONS

The Budget (Railways), 2004-2005: The discussion in this regard took place on 7, 12, 13 and 14 July 2004.

Initiating the discussion on 7 July 2004, Shri Balbir K. Punj of the Bharatiya Janata Party (BJP) said that the Budget hardly focussed on the issue of safety, punctuality and comfort of the passengers. He expressed concern over frequent incidents of dacoity in trains. He said that except for the usual repetition of the Khanna Committee Report, the Budget made no mention of any measure to ensure safety of the passengers. He added that there was a total mismatch between the resources available and the new projects announced in the Budget. He said that though the Railways would resort to market borrowings of Rs. 3,400 crore, there was no matching arrangement to put the money for productive use. There were already schemes worth Rs. 40,000 crore which were stalled for want of funds. With paucity of funds, he wondered about the rationality of the proposal for starting a plant to manufacture wheels at Chapra which would incur an expenditure of nearly Rs. 1000 crore.

He further said that since the Budget makes no mention of any proposal to reduce the expenditure, increase the revenue or improve the funds that the Railways could generate to modernise, repair and restructure the largest transport system, the Railway Minister's claim of making the Indian Railways as the number one Railways in the world was nothing but a tall claim. He also remarked that the Minister did not mention anything about the Golden Triangle Project which was of vital importance to the Railways. He, however, commended the Minister for not touching the railway fares and freights in the light of stiff competition from other modes of transport.

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* Contributed by the Research and Library Section, Rajya Sabha Secretariat

Participating in the discussion* Shri Mool Chand Meena of the Indian National Congress (INC) termed the boycott of the Budget by the Opposition as unfortunate. He praised the Minister of Railways for providing free rail travel for unemployed youth going for interviews and concessions to handicapped persons. He also praised the Minister for proposing to start 18 new trains and for laying 1650 kilometers of new rail lines and also for the special recruitment drive for the people belonging to the Scheduled Castes, the Scheduled Tribes and Other Backward Classes.

Shri Dipankar Mukherjee of the Communist Party of India (Marxist) (CPI-M) welcomed the Railway Budget and termed it as people-friendly. The Budget adhered to the goals set by the Common Minimum Programme by initiating social security scheme for porters. The ideas of recycling of scraps and e-mail tendering mooted in the Budget were good steps towards fund mobilisation. A detailed inquiry should be conducted as to how a number of dacoities were occurring in one particular place. He appreciated the efforts to revive Jamalpur Unit for production but he expressed concern about the under utilization of some public sector wagon units, namely Bharat Wagon and Engineering Company, Braithewait and Burn Standards which constituted about 50 per cent of the wagon manufacturing capacity of the country.

Dr. T. Subbarami Reddy of the Indian National Congress (INC) extolled the Minister of Railways for presenting a Budget which for the first time did not make any hike in the fares or freight rates and for taking into account the Common Minimum Programme. He appreciated the Minister's efforts to provide better amenities to passengers, to maintain cleanliness, for providing job quota for the weaker sections and for trying to solve the transportation problem of lakhs of milkmen in the country. He also welcomed the measure to recruit 8000 men in the Railway Protection Force (RPF), which in turn would help in checking accidents on unmanned crossings. He emphasised the need for making

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* Others who participated in the discussion were Sarvashri P. G. Narayanan, Ravi Shankar Prasad, Gandhi Azad, Kalraj Mishra, Manoj Bhattacharya, Motilal Vora, Matilal Sarkar, M.P. Abdussamad Samadani, Shankar Roy Chowdhury, Tarini Kanta Roy, Rama Muni Reddy Sirigireddy, R.K. Dhawan, Surendra Lath, Eknath K. Thakur, Nandi Yellaiah, Tariq Anwar, Sanjay Rajaram Raut, E.M. Sudarsana Natchiappan, Rajeev Shukla, Urkhao Gwra Brahma, R. Shunmugasundaram, B.S. Gnanadesikan, Bashistha Narain Singh, Lalit Kishore Chaturvedi, Motiur Rahman, Lekhraj Bachani, Vedprakash P. Goyal, Ram Jethmalani, V. Narayanasamy, Vijay J. Darda, Maulana Obaidullah Khan Azmi, Dr. Alladi P. Rajkumar, Dr. K. Malaisamy, Dr. M.S. Gill, Dr. P.C. Alexander, Prof. R.B.S. Varma, Prof. Saif-ud-Din Soz, Prof. Ram Deo Bhandary, Shrimati Vanga Geetha, Shrimati Jamana Devi Barupal, Shrimati Maya Singh and Miss Pramila Bohidar

the railway system transparent, and said a review should be made to identify the loss making operations.

Shri Abu Asim Azmi of the Samajwadi Party (SP) congratulated the Minister of Railways for having taken care of all classes of people through the Budget. He requested the Minister to have the name of every railway station written in Urdu language also alongside Hindi and English languages. He expressed concern over the security in trains in Mumbai, the late arrival-departure of trains and the deplorable condition of Azamgarh railway station. He praised the Minister for raising the issue of the Godhra incident inquiry.

Dr. Prabha Thakur of the Indian National Congress (INC) praised the Railway Budget terming it pro-common man and pro-poor class. She said that concrete steps needed to be taken to implement the Budget. She welcomed the step to provide employment opportunities to the backward classes, rural people, minorities, the Scheduled Castes, the Scheduled Tribes, Dalits and the weaker sections of the society. She appreciated the humanitarian side of the Budget which gave concessions to the patients of haemophilia, and widows of soldiers killed during combat with the terrorists and took into account the interests of the weaker sections, old, infirm, deaf-dumb, women and coolies.

Replying to the discussion on 14 July 2004, the Minister of Railways, Shri Lalu Prasad said that the Government was determined to make the Indian Railways the best in the world in terms of security, modernization and cleanliness. In order to enable the poor to travel and visit various places in India at subsidised rates, the new project of 'Village on Wheels' had been mooted. It had been decided to use *kulhars* in the trains, instead of plastic cups, as these were environment-friendly and it would also lead to the promotion of village industries. The Railways had also decided to use khadi which would help in reviving the village based *khadi* industries providing employment to many weavers from minority communities. In order to enable the unemployed youth in the country to attend interviews for jobs in other places, it had been proposed to provide them free journey. The Government, keeping in mind its commitment towards social justice, had decided to clear the backlog of the Scheduled Castes, the Scheduled Tribes and Other Backward Classes while making new appointments. The Budget (Railways) also made provision for free railway tickets for the porters and their spouses. In order to boost the milk cooperatives in the country, *Dahi*, *Mattha* and *Lassi* had been included in the supply of cold drinks by the Catering Department of Railways. In future, pickles and spices prepared by the women groups

in the villages of the country would be used in the food-stuffs to be served on the trains and the supply of cold drinks containing pesticides would be stopped.

The Minister said that the Government had checked corruption and created scope to re-utilise the scrap. Further, the Government would be able to cut down on expenditure also by putting an end to the sale of scrap and to that extent would be able to mobilise more resources. It would take every possible step to make the rail services accessible to all the areas and even upto the remotest areas of the country. He said that instructions had been given to get the study work done in this regard at the earliest. A Committee of Members of Parliament would also be constituted for the purpose and their recommendations would be considered by the Government. The Government would make efforts to plug the loopholes in the existing signal and security systems of the Railways. New trains connecting all religious places in the country would also be introduced and the passengers would be charged fare at concessional rates.

Commenting on the Godhra incident of 2002 and the railway security, he stated that the Government had issued orders for holding a high level departmental inquiry on the issue and the report would be submitted in three months and action would be taken thereafter. The responsibility would also be fixed in regard to the officials who did not go there and the enquiry report would be made public so that everybody would get to know as to who were responsible for the incident.

The Budget (General), 2004-2005: The discussion on the Budget took place on 19 and 20 July 2004.

Initiating the discussion on 19 July 2004, Shri Yashwant Sinha of the Bharatiya Janata Party (BJP) said that as per the Economic Survey, the declining trend in the gross capital formation in the agriculture sector was arrested when the National Democratic Alliance (NDA) was in office. No additional allocation had been made on the Accelerated Irrigation Benefit Programme (AIBP). He expressed the concern that most of the allocation would remain unutilized because many ongoing irrigation schemes had a rolling plan and would be completed only in March 2006 and March 2007 whereas the Finance Minister in his Budget speech stated that funds would be available only for schemes which were going to be completed by March 2005. On the National Mission on Horticulture, he said that the same scheme was already functioning in the name of Technology Mission on Agriculture.

He expressed skepticism over the fact that though the plan

allocation in the Interim Budget had increased by only Rs. 10,000 crore, the Finance Minister had promised additional funds for various priority areas. The expenditure on agriculture was said to be increased to 6 per cent of the GDP from the present level of 3 per cent and expenditure on education was to be increased to 3 per cent from the current level of 1 per cent which by itself would entail an annual increase of Rs. 30,000 crore for agriculture and education alone. On exemption of income tax, he urged the Finance Minister to modify the income tax slabs. He also expressed concern over the inflationary trend in the country.

Participating in the discussion*, Shri Jairam Ramesh of the Indian National Congress (INC) stated that Rs.60 crore had been allocated for the establishment of six All India Institute of Medical Sciences type of hospital-cum-teaching centers. On the provision for setting up of separate Backward States' Development Fund, he said that the Fund would take care of the States including Rajasthan, Madhya Pradesh, Chhattisgarh, Orissa, Bihar and Uttar Pradesh. On social welfare, poverty alleviation and other programmes, Rs.10,000 crore had been provided as an additional budgetary support and the details of expenditure would be available soon. He expressed concern over the fiscal position of the country, particularly when bulk of the States' revenue goes towards salaries, wages, pensions and allowances, and similarly bulk of the Central Government's revenue goes towards debt servicing. He urged the Minister of Finance to go for major tax reforms and to unveil a relief package for textile industry which was accountable for 30 to 40 per cent of industrial employment. He summed up the Budget as a conglomeration of divergent interest groups.

Shri Nilotpal Basu of the Communist Party of India (Marxist) (CPI-M) said that the Government should bring down the revenue deficit. The process of liberalization needed to be given a new orientation in order to make it more people friendly. The increase in defence expenditure was not the priority of the Common Minimum Programme (CMP). He suggested that the interest regime needed to be revised in order to transfer the benefit of soft loans to the poor and for addressing the investment concerns. The private sector insurance industry should contribute to such areas as envisaged in the activities of CMP. He emphasized the need for diversification of crops and contingency plans

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* Others who participated in the discussion were: Sarvashri Janeshwar Misra, Anand Sharma, C. Ramachandraiah, B.J. Panda, K. Chandran Pillai, R. Kamaraj, Tariq Anwar, R.P. Goenka, Harendra Singh Malik, Lalit Suri, Shankar Roy Chowdhury, Sharad Anantrao Joshi, Dr. Vijay Mallya, Dr. Faguni Ram, Shrimati Prema Cariappa, Miss Mayawati and Kumari Nirmala Deshpande

for helping the people in distress. On the issue of tax regime, he supported the proposal of the transaction tax but rejected the proposal for increasing the limits of the Foreign Institutional Investors (FII).

Smt. S.G. Indira of the All India Anna Dravida Munnetra Kazhagam (AIADMK) said that the Budget favoured only a few States while leaving others unattended. The allocation for rural development had been reduced and the Employment Guarantee Scheme had not got any allocation. Emphasising on the problems of farmers, she said that the Budget did not mention anything about the Crop Insurance Scheme and no programme had been started for interlinking of rivers. She urged the Minister of Finance to allocate funds for the Sethusamundram Ship Canal Project and demanded special allocation for Tamil Nadu. On the Public Distribution System (PDS), she stated that the Minister of Finance should allocate foodgrains to Tamil Nadu as the farmers were badly affected due to failure of monsoons. On the issue of basic infrastructure and the Value-Added Tax (VAT), she sought clarifications from the Minister as to what would be the source of revenue for the allocation of infrastructure and how the State Governments would be compensated in the event of incurred losses due to the implementation of the VAT. She also expressed concern over the manufacturing sector and the investment climate of the country.

Statement by the Prime Minister regarding latest developments pertaining to the sharing of water arising out of the decisions of the State of Punjab: On 13 July 2004, making a statement in the House, the Prime Minister, Dr. Manmohan Singh emphasised the need to find a lasting solution to the issue of sharing of water in order to protect the unity and integrity of the country and the interests of the States. He said that in this regard, the Chief Ministers of Punjab, Haryana, Rajasthan and Himachal Pradesh had been invited to find an amicable solution to the problem. The Leaders of the Opposition in both the Houses of Parliament had assured their full support in resolving the issue.

Assuring the members, Shri Jaswant Singh, the Leader of the Opposition, Rajya Sabha said that the issue of water involved the whole of India. He reiterated his commitment of full cooperation in endeavouring to find an early and amicable solution to the issue.

Statement by the Minister of Commerce and Industry regarding framework agreement adopted by the World Trade Organisation (WTO): On 16 August 2004, making a statement in the House, regarding proceedings of the General Council Meeting of the WTO held at Geneva where the Framework Agreement was adopted by the Members, the

Minister of Commerce and Industry, Shri Kamal Nath said that due to India's active participation and constant interaction with both developing and developed countries, the Framework Agreement had been adopted and ensured that the negotiations were back on track. The Framework Agreement provided the necessary guidance and parameters for further negotiations. The next Ministerial Conference was scheduled to be held in Hong Kong in December, 2005.

He stated that the major issues like agriculture, non-agriculture market access and services, development related issues like Implementation Issues and Special and Differential Treatment, were taken up at the Meeting of the General Council. He asserted that India was able to achieve all the major objectives in the Framework Agreement. In the sphere of agriculture, one of India's major demand, *i.e.* elimination of all forms of export subsidies by an end date had been agreed to and the developing countries including India would continue to avail of certain subsidies for export of agricultural products for a longer period, beyond the elimination of export subsidies by the developed countries.

On the issue of trade distorting domestic support, the Minister said that an immediate commitment of 20 per cent reduction in overall trade distorting support in the first year itself had been ensured. Besides, the permissible *de minimis* support in respect of the developed countries would be reduced from the present level of 5 per cent whereas the developing countries like India would not have any obligation to reduce their existing level of *de minimis* support. On the issue of market access, he said that India would benefit from the Agreement while the developed countries would have to reduce their tariff rate substantially. In other areas such as industrial products and negotiations of services, he stated that the concerns of the developing countries including India had been adequately addressed. Highlighting the significant achievements of the Framework Agreement, he said that three out of the four Singapore Issues on which India and other developing countries had objections, namely Investment, Procurement and Competition, had been removed. The fourth issue, that is, the Trade Facilitation continued to be on the agenda and was an area of special interest to us. On issue based alliance with like minded countries, India was able to gather support from the groups, G-20, G-16, G-90, G-33 and the European Union (EU), etc. that helped in evolving consensus on the Framework in Agriculture. India's approach to the negotiations would always be dictated by its national interests, the Minister concluded.

Statement by the Minister of Home Affairs, Shri Shivraj V. Patil regarding Law and Order situation in Manipur: On 17 August 2004, making a statement in the House, the Minister of Home Affairs,

Shri Shivraj V. Patil said that Manipur was facing insurgency and militancy for many years. Some people in the State were agitating for the withdrawal of the Armed Forces Special (Powers) Act which was enforced in the entire State. He stated that on 12 August 2004 the State Government withdrew the enforcement of Armed Forces Special (Powers) Act from the city of Imphal, against the advice given by the Central Government and allowed it to remain in force in the rest of the State. The agitation exacerbated after the incident of 11 July 2004 in which Kumari Th. Manorama Devi's body was found in a field, with bullet injuries. He stated that it was alleged that she was killed by the Assam Rifles and the agitators demanded the withdrawal of the Assam Rifles. In response to the protest, the Armed Forces started proceedings against those who were alleged to be responsible for the incident and also instituted a judicial inquiry into the matter. However, there had been no change in the situation even after the Act was withdrawn from the city of Imphal. He stated that the Government was watching the situation and would take appropriate action to meet any situation.

Statement by the Minister of Home Affairs regarding the incident of Bomb Blast in Dhemaji District of Assam: On 17 August 2004, making a statement in the House, the Minister of Home Affairs, Shri Shivraj V. Patil said that three explosions took place at different places of Assam allegedly by the ULFA cadres, during and after the Independence Day celebration, which claimed 13 lives and injured few others. The Superintendent and Additional Superintendent of Police were placed under suspension for security lapses. The State Government announced an *ex-gratia* payment of Rs. 3 lakh to the next of kin of the deceased and Rs. 50,000 and 10,000 each for the seriously injured and those who suffered minor injury respectively.

Replying to the points raised by the members, the Minister said that he would take the advice of the Leader of the Opposition with regard to the insurgency problems in the country seriously. He said that the unfortunate death of Ms. Manorama Devi deserved sympathy for her from all of us and commended the supreme sacrifices of the Armed Forces. He expressed his gratitude to the Government of Bhutan for taking action against the terrorists operating from their territory.

Shri Patil assured the House that the enquiry of the involvement of Assam Rifles into the incident would be done as soon as possible. The Government would talk to anybody who showed willingness to talk so that peace and tranquillity could be maintained. Action would be taken against any Defence personnel if found guilty of killing or harassing innocent people. The Assam Rifles would soon vacate the Kangla Fort.

Statement by the Minister of State in the Ministry of Home Affairs, regarding fire accident in a school at Kumbakonam in Tamil Nadu : On 19 July 2004, making a statement in the House, the Minister of State in the Ministry of Home Affairs, Shri S. Regupathy said that there was a major fire accident on 16 July 2004 in an aided private school at Kasiraman Street, Kumbakonam of Thanjavur District, Tamil Nadu. The school premises housed three schools, namely, Sri Krishna Aided Primary School (private), Sri Krishna Girls High School, Saraswathi Nursery and Primary School. The accident claimed the lives of ninety children and inflicted burn injuries on nineteen children. Elaborating the cause of the accident, he said that the three schools shared a common narrow staircase and the common entrance which also served as an exit. No emergency exit or fire escape had been provided in the building. More than 870 students were studying in these three schools. Shri Krishna Aided Primary School was being run in classrooms with thatched roof. A noon meal kitchen with thatched roof was situated close by. At about 11.00 hours on 16 July 2004, fire broke out accidentally in the thatched classroom atop the building. The thatched shed collapsed even before the students could escape. Though the exact cause of the fire was being investigated, it was alleged to have spread from the nearby kitchen. When the fire broke out, children in the brick portion of the building rushed to the entrance thereby blocking the escape route of the children caught in the thatched portion engulfed by fire, leading to the tragedy. As a follow-up action, the recognition of these schools was withdrawn and alternative arrangements made to admit the children in the nearby schools. On 18 July 2004, 740 children were admitted to other schools. Higher State educational officials were suspended and the police registered a case against the school authorities. The State Government had reportedly made arrangements for best possible treatment to the nineteen injured students. The Minister stated that the State Government had ordered an intensive inspection of all schools throughout the State and replacement of thatched roofs in schools with non-inflammable materials.

Calling Attention to the tragic incidents of suicide by farmers in various parts of the country: On 14 July 2004, Shri S.S. Ahluwalia of the Bharatiya Janata Party (BJP) called the attention of the Minister of Agriculture in this regard.

Replying to the Calling Attention, the Minister of Water Resources, Shri Priyaranjan Dasmunsi said that the number of suicide cases had been significant in the States of Andhra Pradesh, Karnataka, Orissa and Maharashtra. He attributed the suicides to crop failure,

indebtedness, high rate of interest on loans, drought, social and economic insecurity, incurable ailments, in addition to alcohol and family disputes. He said that in order to tackle the problems of farmers, the Common Minimum Programme of the Government of the United Progressive Alliance (UPA) had identified areas which required focussed and priority attention. Some of the important action points were doubling rural credit in three years, easing the burden of debt, high interest rate and nursing cooperatives back to health, dryland farming, development of horticulture, improvement of water management and protection to farmers from imports and falling international prices. He said that in order to achieve these objectives, the Minister of Finance in his Budget speech had announced a number of initiatives to provide relief to the farmers. Notable among those were accelerating the completion of irrigation projects, investing in rural infrastructure, providing farm and livestock insurance, improving agriculture product markets and promoting agri-business and appointment of a Task Force on reforms in the cooperative banking system. It proposed to undertake restructuring of debt of farmers by the commercial banks, Regional Rural Banks (RRBs) and the cooperatives, rescheduling/restructuring the loans including an initial moratorium of two years to the farmers in distress in the districts declared as calamity affected by the State Governments. He further stated that the farmers would receive the benefit of rescheduling of loans in default to enable them to become eligible for fresh credit and the system of one-time settlement for defaulting small and marginal farmers would be put into operation. In addition to that, farmers were receiving financial assistance under different schemes. The Government had also provided safety nets in the form of the National Agriculture Insurance Scheme (NAIS), Farmers Income Insurance Scheme (FIIS) against production loss and the Minimum Support Price (MSP) and the Market Intervention Scheme (MIS) against decline in prices. The State Governments were also providing relief to the affected families. He further said that the Government was fully conscious of the hardships of the farmers and would spare no efforts to solve their problems.

Replying to the points raised by the members, the Minister said that the objective of the policy of the UPA Government was to lay greater emphasis on the upliftment of the rural poor in general and the farming community in particular. Highlighting the importance the present Government had given to the issue, he stated that the first meeting the Prime Minister held with any agency was a two and a half hours meeting with the leaders of the Kisan Movement and the farming community. The Prime Minister's visit to Andhra Pradesh was also a step in that direction. He said that the Agriculture Minister was very much concerned

about the agriculture sector. He had introduced a brilliant concept of developing the cooperative movement in agriculture sector in the State of Maharashtra.

He said that the rural credit policy announced on 18 June 2004, enlarged the scope of the rescheduling of the loans and one-time settlement programme and even writing off loans in a few cases. He said that in order to address the issue, various Ministries would work together and the Government would also seek the cooperation of the State Governments. The field experience of different Non-Governmental Organisations (NGOs) and social activists working on this front would also be taken into account before the Government responded to the crisis faced by the farmers in a practical manner.

Calling Attention on reported irregularities in disinvestment of Centaur Hotel: On 18 August 2004, Shri Dipankar Mukherjee of the Communist Party of India (Marxist) (CPI-M) called the attention of the Minister of Finance in this regard.

Replying to the discussion, the Minister of Finance, Shri. P. Chidambaram gave detailed facts regarding the sale of Centaur Hotel, Juhu Beach, Mumbai and the subsequent violation of the agreement to sell by the Tulip Hospitality Services Limited. He stated that disinvestment of the hotel/flight kitchens of the Hotel Corporation of India, a subsidiary of Air India was initiated by the Air India under the supervision of the Ministry of Civil Aviation. A Sub-Committee of the Board of the Air India was constituted to oversee the disinvestment process. On the basis of the recommendations of the Sub-Committee, the Air India appointed M/s Jardine Fleming Securities India Ltd. (currently known as the M/s J.P. Morgan India Pvt. Ltd) as the Global Advisers on 6 June 2000. An advertisement inviting Expressions of Interest from the prospective bidders was issued by the Air India on 11 to 12 October 2000 for all the businesses of the Hotel Corporation of India including Centaur Hotel.

Subsequently, on 27 September 2001, based on a Government decision, the Department of Disinvestment took over the process of disinvestment in Hotel Corporation of India. Thereafter, the Department of Disinvestment constituted an Inter-Ministerial Group and adopted the transaction structure and transaction documents as finalised by Air India. The Minister said that for the sale of five businesses of the Hotel Corporation of India that were offered for sale, the Qualified Interested Parties had already been identified. In respect of the Centaur Hotel, there was only one Qualified Interested Party, namely M/s Tulip Hospitality Services Ltd. which submitted its price bid on 6 November 2001. An Evaluation Committee comprising the concerned Joint Secretaries of

the Ministry of Civil Aviation and the Ministry of Disinvestment and the Managing Directors of Air India and Hotel Corporation of India under the Chairmanship of the Joint Secretary and the Financial Advisor, Ministry of Civil Aviation met on 8 November 2001. After detailed consideration of the asset valuation report prepared by the Asset Valuer (M/s Kanti Kararnsey & Co., Mumbai), the valuation report prepared by the Global Advisor and the merits and demerits of the various methods of valuation adopted by them and the then prevailing market conditions, the Evaluation Committee determined the reserve price for the Centaur Hotel at 101.60 crore. The price bid was for Rs. 153 crore. As the price bid was above its determined reserve price, the Evaluation Committee recommended for acceptance of the financial bid submitted by M/s Tulip Hospitality Services Ltd. for the Centaur Hotel. The Inter-Ministerial Group, in its meeting held on 9 November 2001 accepted the recommendations of the Evaluation Committee. The recommendations of the Evaluation Committee/Inter-Ministerial Group were accepted by the Core Group of Secretaries on Disinvestment on 9 November 2001 and by the Cabinet Committee on Disinvestment on 10 November 2001. Initially, the Air India proposed to execute the Agreement to sell by 21 December 2001 and notified M/s Tulip Hospitality Services Ltd. which however, made a series of representations from time to time seeking extensions for conclusion of the transaction. Three extensions were granted apparently with a view to completing the sale of the Centaur Hotel. Consequently, the transaction was completed on 11 Mach 2002 and the business was transferred to M/s Tulip Hospitality Services Pvt. Ltd on 31 May 2002 on completion of transaction formalities.

As per the transaction Agreement, M/s Tulip Hospitality Services Limited was bound to offer a Voluntary Retirement Scheme (VRS) to the employees of the Hotel by 30 May 2003. Anticipating that the management might not offer the Scheme in time, the Officers' Association filed a writ petition in the Bombay High Court on 9 May 2003 itself. On the directions of the High Court, M/s Tulip Hospitality Services introduced the VRS on 1 October 2003. As it was not fully acceptable to the Officers' Association of the Hotel, it approached the High Court again, which however did not give any further relief. Thereafter, the Association moved the matter before a Division Bench of the Bombay High Court. While the matter was before the Division Bench, the Officers' Association and the management reached an agreement on all critical issues on 6 August 2004 following which M/s Tulip Hospitality Services Ltd. filed an affidavit before the Bombay High Court on 12 August 2004. The case stood adjourned to 10 January 2005.

Replying to the points raised by the members, the Minister said that the best way to resolve doubts over the issue would be to conduct an inquiry in that regard. Elaborating on the process of disinvestment of the Centaur Hotel, he said that someone must own responsibility for all those decisions. Expressing his doubts on the method of evaluation, the Minister said that it was a single bidder transaction and the method of evaluation adopted in this case was not the only or the most appropriate method. He also raised doubts over grant of repeated extensions to the bidder. As a result of its disinvestment zeal, the then Government overlooked some discomforting aspects of the transaction. He said that the agreement did not permit the resale. The matter is now *sub judice* before the High Court of Bombay regarding the Voluntary Retirement Scheme. But if there is any violation of agreement, the Ministry of Civil Aviation would take necessary action. Further steps in the matter would be taken after the receipt of the report of the Comptroller and Auditor General (CAG) especially to address some discomforting aspects as mentioned by him.

B. QUESTION HOUR

During the Session, 7641 notices of Questions (6,851 Starred and 790 Unstarred) were received. Out of these, 460 Questions were admitted as Starred and 2,537 were admitted as Unstarred. The total number of notices of Questions received in Hindi was 1,469.

Daily average of Questions: For all the days, the lists of Starred Questions contained 20 Questions. On an average, 3.33 Questions were orally answered per sitting. The maximum number of Questions orally answered was 11 on 16 July 2004 and the minimum number of Questions orally answered was one on 15 July and 16 July 2004. The lists of Unstarred Questions contained 28, 29, 22, 81, 73, 68, 98, 93, 116, 87, 88, 117, 126, 132 and 39 Questions on 5, 6, 7, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23 July and 25 August 2004, respectively, and on the rest of the days, it contained 155 Questions each.

Half-an-Hour Discussion : Three notices of Half-an-Hour Discussion were received, out of which one notice was admitted but was not discussed.

Short Notice Question : Five Short Notice Questions were received, but none was admitted.

C. OBITUARY REFERENCES

During the Session, obituary references were made on the passing away of Sarvashri S. Channa Reddy and M.R. Krishna, both former members. Members stood in silence as a mark of respect to the memory of the deceased.

STATE LEGISLATURES

BIHAR LEGISLATIVE ASSEMBLY*

The Twelfth Bihar Legislative Assembly, which commenced its Fifteenth Session on 3 December 2004, was adjourned sine die on 8 December 2004. There were four sittings in all.

Legislative business: During the Session, the following two Bills were introduced, considered and passed by the House : (i) The Bihar Appropriation (No. 5) Bill, 2004 and (ii) The Bihar Panchayati Raj (Amendment) Bill, 2004.

Financial business : The Second Supplementary Demand for Grant for the year 2004-2005 was presented to the House on 6 December 2004. The discussion and voting on the Supplementary Demand for Grant took place and the necessary Appropriation Bill was passed on 7 December 2004.

Obituary references : During the Session, obituary references were made on the passing away of Shri Shyam Nandan Mishra, former Union Minister; Shri Gulam Sarvar, former Speaker of Bihar Legislative Assembly and former Minister and Sarvashri Jagannath Singh and Ramchandra Prasad, former members.

DELHI LEGISLATIVE ASSEMBLY**

The Third Delhi Legislative Assembly, which commenced its Third Session on 16 December 2004, was adjourned sine die on 22 December 2004. There were five sittings in all.

Legislative business : During the Session, the following six Bills were considered and passed by the House : (i) The Delhi Ancient and Historical Monuments and Archaeological Sites and Remains Bill, 2004; (ii) Delhi Motor Vehicles Taxation (Amendment) Bill, 2004; (iii) The Delhi Co-operative Societies (Amendment) Bill, 2004; (iv) The Municipal Corporation of Delhi (Third Amendment) Bill, 2004; (v) The Delhi Value Added Tax Bill, 2004; (vi) The Delhi Plastic Bag (Manufacture, Sales and Usage) and Non-Biodegradable (Control) (Amendment) Bill, 2004.

Obituary references : During the Session, obituary references were

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* Material contributed by the Bihar Legislative Assembly Secretariat
** Material contributed by the Delhi Legislative Assembly Secretariat

made on the passing away of Dr. Gyan Chand, former member of the First Assembly; Shri Prabhu Dayal, former member of the Legislative Assembly; Smt. M.S. Subbulakshmi, renowned Classical Singer and recipient of Bharat Ratna, and the passengers killed in the rail accident in Punjab.

MAHARASHTRA LEGISLATIVE COUNCIL*

The Third Session of the Maharashtra Legislative Council was held on 13 August 2004. The House was adjourned and prorogued the same day.

Election of Chairman and Deputy Chairman: On 13 August 2004, Shri Shivajirao Bapusaheb Deshmukh was elected as the Chairman of the Maharashtra Legislative Council. (On 8 July 2004, the Governor of Maharashtra had appointed Shri Vasant Davkhare, a member of the Maharashtra Legislative Council as Chairman Pro tem to perform the duties of the office of the Chairman until the new Chairman was elected by the Council).

On the same day, Shri Vasant Davkhare was unanimously elected as the Deputy Chairman of the State Legislative Council.

MANIPUR LEGISLATIVE ASSEMBLY**

The Ninth Session of the Eighth Manipur Legislative Assembly, which commenced on 17 December 2004, was adjourned sine die on 23 December 2004. There were five sittings in all.

Legislative business: During the Session, out of the five bills introduced, the following four Bills were passed by the House: (i) The Manipur Ceiling on Government Guarantee Bill, 2004; (ii) The Kangla Fort Bill, 2004; (iii) The Manipur Value Added Tax Bill, 2004; and (iv) The Manipur Appropriation (No.2) Bill, 2004. The Manipur Municipality (Second Amendment) Bill, 2004 was referred to a Select Committee for further examination.

Obituary references: During the Session, obituary references were made on the passing away of Sarvashri Telem Bira Singh and T.P. Kuilengpao, both former members of the Manipur Legislative Assembly and Shri Ningombam Raghumani Singh, former Secretary of the Manipur Legislative Assembly.

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* Material contributed by the Maharashtra Legislature Secretariat
** Material contributed by the Manipur Legislative Assembly Secretariat

MEGHALAYA LEGISLATIVE ASSEMBLY*

The Seventh Meghalaya Legislative Assembly, which commenced its Seventh Session (Winter Session) on 16 December 2004, was adjourned sine die on 21 December 2004. There were four sittings in all.

Obituary references: During the Session, obituary references were made on the passing away of three sitting members and one former member of the House and some other renowned personalities.

ORISSA LEGISLATIVE ASSEMBLY**

The Thirteenth Orissa Legislative Assembly, which commenced its Second Session on 1 November 2004, was adjourned sine die on 6 November 2004. The House was prorogued by the Governor on 9 November 2004. There were six sittings in all.

Legislative business : During the Session, 4 Bills were introduced out of which 2 Bills were passed by the House.

Obituary references : During the Session, obituary references were made on the passing away of Shri Nilamani Routray, former Chief Minister of Orissa; Smt. Usharani Panda, former Minister; Sarvashri Gananath Pradhan, Chittaranjan Kar, Chaitanya Pradhan, Raj Kishore Sahoo, all former members of the Orissa Legislative Assembly; Shri Pitabash Sahu, former Naik and Shri Gorachand Singh, former Sepoy of the Indian Army.

WEST BENGAL LEGISLATIVE ASSEMBLY***

The Thirteenth West Bengal Legislative Assembly, which commenced its Eighth Session on 30 June 2004, was adjourned sine die on 4 August 2004. The Governor prorogued the House on 5 August 2004. There were 26 sittings in all.

Legislative business: During the Session, Twelve Bills were introduced out of which Eleven Bills were considered and passed by the House.

Financial business: In all 35 Demands for Grants were discussed and voted by the House and the remaining Demands for Grants were guillotined on 28 July 2004. The necessary Appropriation Bill (No.2),

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* Material contributed by the Meghalaya Legislative Assembly Secretariat.
** Material contributed by the Orissa Legislative Assembly Secretariat.
*** Material contributed by the West Bengal Legislative Assembly Secretariat

2004 was introduced and passed by the House after discussion on 29 July 2004.

Obituary references: During the Session, obituary references were made on the passing away of Shri Shyamadas Bhattacharya, former Minister of West Bengal; Shri Prabir Kumar Mallik, former member of the Legislative Assembly; Prof. Hirendra Nath Mukherjee, former member of the Lok Sabha and veteran Communist leader; and some other eminent personalities.

7

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APPENDIX I

STATEMENT SHOWING THE WORK TRANSACTED DURING THE SECOND SESSION OF THE FOURTEENTH LOK SABHA

1.	PERIOD OF THE SESSION	5 July 2004 to 26 August 2004 (Recess from 24 July 2004 to 15 August 2004)
2.	NUMBER OF SITTINGS HELD	24
3.	TOTAL NUMBER OF SITTING HOURS	92 hours, 29 minutes
4.	GOVERNMENT BILLS	
	(i) Introduced	8
	(ii) Referred to Departmentally-related Standing Committee by Speaker/ Chairman, Rajya Sabha	4
	(iii) Discussed	6
	(iv) Passed	6
	(v) Returned by Rajya Sabha without any recommendation	6
	(vi) Pending at the end of the Session	2
5.	PRIVATE MEMBERS' BILLS	
	(i) Introduced	16
	(ii) Discussed	Nil
	(iii) Pending at the end of the Session	16
6.	NUMBER OF DISCUSSIONS HELD UNDER RULE 184	
	(i) Notices received	101
	(ii) Admitted	15
	(iii) Discussed	Nil
7.	NUMBER OF MATTERS RAISED UNDER RULE 377	220
8.	NUMBER OF MATTERS RAISED ON URGENT PUBLIC IMPORTANCE DURING ZERO HOUR	137
9.	NUMBER OF DISCUSSIONS HELD UNDER RULE 193 (Matters of Urgent Public Importance)	
	(I) Notices received	191
	(ii) Admitted	6
	(iii) Discussions held & completed	4
	(iv) Part-discussed	1
10.	NUMBER OF STATEMENTS MADE UNDER RULE 197 (Calling Attention of Matters of Urgent Public Importance)	4
11.	STATEMENTS MADE BY MINISTERS UNDER RULE 372	16

12.	GOVERNMENT RESOLUTIONS	
	(i) Notices received	3
	(ii) Admitted	3
	(iii) Moved	2
	(iv) Adopted	2
13.	PRIVATE MEMBERS' RESOLUTIONS	
	(i) Received	11
	(ii) Admitted	11
	(iii) Discussed	2
	(iv) Adopted	Nil
	(v) Negatived	Nil
	(vi) Withdrawn	1
	(vi) Part-discussed	1
	(vii) Discussions postponed	Nil
14.	NUMBER OF ADJOURNMENT MOTIONS	
	(i) Total number of Notices received	15
	(ii) Admitted	Nil
	(iii) Consent withheld by Speaker, Lok Sabha outside the House	15
15.	NUMBER OF PARLIAMENTARY COMMITTEE CONSTITUTED, IF ANY, DURING THE SESSION	42
16.	TOTAL NUMBER OF VISITORS' PASSES ISSUED DURING THE SESSION	17,168
17.	MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY AND THE DATE ON WHICH ISSUED	854 on 20 July 2004
18.	TOTAL NUMBER OF QUESTIONS ADMITTED	
	(i) Starred	461*
	(ii) Unstarred	4,455**
19.	NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE	4
20.	PETITIONS PRESENTED	3
21.	NUMBER OF NEW MEMBERS SWORN IN, WITH DATE	Two members sworn in (one on 5 July 2004 and another on 20 August 2004)
22.	NUMBER OF PRIVILEGE MOTIONS	
	(i) Notices received	20
	(ii) Brought before the House	Nil
	(iii) Consent withheld by Speaker	9
	(iv) Observation made by Speaker	1

* Including one Question postponed and one withdrawn from Starred List.
** Including three Questions deleted and one withdrawn from Unstarred List.

23. WORKING OF PARLIAMENTARY COMMITTEES

Sl. No.	Name of the Committee	No. of sittings held during the period 1 July to 30 September 2004	No. of Reports presented
1	2	3	4
i)	Business Advisory Committee	3	3
ii)	Committee on Absence of Members from the Sittings of the House	1	1
iii)	Committee on Empowerment of women	2	—
iv)	Committee on Estimates	4	—
v)	Committee on Ethics	—	—
vi)	Committee on Government Assurances	—	—
vii)	Committee on Member of Parliament Local Area Development Scheme (MPLADS)	2	—
viii)	Committee on Papers Laid on the Table	2	—
ix)	Committee on Petitions	—	—
x)	Committee on Private Members' Bills and Resolutions	2	½
xi)	Committee of Privileges	—	—
xii)	Committee on Public Accounts	4	—
xiii)	Committee on Public Undertakings	—	—
xiv)	Committee on Subordinate Legislation	3	—
xv)	Committee on the Welfare of Scheduled Castes and Scheduled Tribes	1	—
xvi)	General Purposes Committee	—	—
xvii)	House Committee	—	—
	a) Accommodation Sub-Committee	—	—
	b) Sub-Committee on Amenities	—	—
xviii)	Library Committee	—	—
xix)	Railway Convention Committee	—	—
xx)	Rules Committee	—	—
	JOINT/SELECT COMMITTEES		
i)	Joint Committee on Offices of Profit	1	—
ii)	Joint Committee on Salaries and Allowances of Members of Parliament	—	—
	DEPARTMENTALLY-RELATED STANDING COMMITTEES		
i)	Committee on Agriculture	—	—
ii)	Committee on Chemicals and Fertilizers	5	2
iii)	Committee on Coal & Steel	4	3
iv)	Committee on Defence	5	1
v)	Committee on Energy	6	2
vi)	Committee on External Affairs	6	2
vii)	Committee on Finance	—	—

viii)	Committee on Food, Consumer Affairs and Public Distribution	—	—
ix)	Committee on Information Technology	12	4
x)	Committee on Labour	4	2
xi)	Committee on Petroleum and Natural Gas	4	1
xii)	Committee on Railways	6	2
xiii)	Committee on Rural Development	5	4
xiv)	Committee on Social Justice and Empowerment	6	2
xv)	Committee on Urban Development	—	—
xvi)	Committee on Water Resources	—	—

APPENDIX II

STATEMENT SHOWING THE WORK TRANSACTED DURING THE TWO HUNDRED AND SECOND SESSION OF THE RAJYA SABHA

1.	PERIOD OF THE SESSION	5 July to 26 August 2004
2.	NUMBER OF SITTINGS HELD	24
3.	TOTAL NUMBER OF SITTING HOURS	67 hours and 15 minutes
4.	NUMBER OF DIVISIONS HELD	Nil
5.	GOVERNMENT BILLS	
	(i) Pending at the commencement of the Session	30
	(ii) Introduced	Nil
	(iii) Laid on the Table as passed by Lok Sabha	6
	(iv) Returned by Lok Sabha with any amendment	Nil
	(v) Referred to Select Committee by Rajya Sabha	Nil
	(vi) Referred to Joint Committee by Rajya Sabha	Nil
	(vii) Referred to the Department-related Standing Committees	6
	(viii) Reported by Select Committee	Nil
	(ix) Reported by Joint Committee	Nil
	(x) Reported by the Department-related Standing Committees	Nil
	(xi) Discussed	6
	(xii) Passed	6
	(xiii) Withdrawn	Nil
	(xiv) Negatived	Nil
	(xv) Part-discussed	Nil
	(xvi) Returned by Rajya Sabha without any recommendation	6
	(xvii) Discussion postponed	Nil
	(xviii) Pending at the end of the Session	30
6.	PRIVATE MEMBERS' BILLS	
	(i) Pending at the commencement of the Session	119
	(ii) Introduced	6
	(iii) Laid on the Table as passed by Lok Sabha	Nil
	(iv) Returned by Lok Sabha with any amendment and laid on the Table	Nil

	(v) Reported by Joint Committee	Nil
	(vi) Discussed	Nil
	(vii) Withdrawn	1
	(viii) Passed	Nil
	(ix) Negatived	Nil
	(x) Circulated for eliciting opinion	Nil
	(xi) Part-discussed	1
	(xii) Discussion postponed	Nil
	(xiii) Motion for circulation of Bill negatived	Nil
	(xiv) Referred to Select Committee	Nil
	(xv) Lapsed due to retirement/death of Member-in-charge of the Bill	27
	(xvi) Pending at the end of the Session	98
7.	NUMBER OF DISCUSSIONS HELD UNDER RULE 176 (Matters of Urgent Public Importance)	
	(i) Notices received	28
	(ii) Admitted	7 (on 4 subjects)
	(iii) Discussions held	4 (on 2 subjects)
	NUMBER OF STATEMENTS MADE UNDER RULE 180 (Calling Attention to Matters of Urgent Public Importance)	
8.	STATEMENTS MADE BY MINISTERS	3
9.	HALF-AN-HOUR DISCUSSIONS HELD	Nil
10.	STATUTORY RESOLUTIONS	
	(i) Notices received	Nil
	(ii) Admitted	Nil
	(iii) Moved	Nil
	(iv) Adopted	Nil
	(v) Negatived	Nil
	(vi) Withdrawn	Nil
11.	GOVERNMENT RESOLUTIONS	
	(i) Notices received	1
	(ii) Admitted	1
	(iii) Moved	Nil
	(iv) Adopted	Nil
12.	PRIVATE MEMBERS' RESOLUTIONS	
	(i) Received	13
	(ii) Admitted	12
	(iii) Discussed	01

(iv) Withdrawn	Nil
(vi) Negatived	Nil
(vii) Adopted	Nil
(vii) Part-discussed	1
(viii) Discussion postponed	Nil
13. GOVERNMENT MOTIONS	
(i) Notices received	Nil
(ii) Admitted	Nil
(iii) Moved and discussed	Nil
(iv) Adopted	Nil
(v) Part-discussed	Nil
14. PRIVATE MEMBERS' MOTIONS	
(i) Received	49
(ii) Admitted	46
(iii) Moved	Nil
(iv) Adopted	Nil
(v) Part-discussed	Nil
(vi) Negatived	Nil
(vii) Withdrawn	Nil
15. MOTIONS REGARDING MODIFICATION OF STATUTORY RULE	
(i) Received	Nil
(ii) Admitted	Nil
(iii) Moved	Nil
(iv) Adopted	Nil
(v) Negatived	Nil
(vi) Withdrawn	Nil
(vii) Part-discussed	Nil
(viii) Lapsed	Nil
16. NUMBER, NAME AND DATE OF PARLIAMENTARY COMMITTEE CREATED, IF ANY	2
(i) Department-related Parliamentary Standing Committee on Health and Family Welfare on 5.8.2004	
(ii) Department-related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice on 5.8.2004	
17. TOTAL NUMBER OF VISITORS' PASSES ISSUED	1,653
18. TOTAL NUMBER OF VISITORS	2,335

19. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY, AND DATE ON WHICH ISSUED — 246 (on 5.7.2004)

20. MAXIMUM NUMBER OF VISITORS ON ANY SINGLE DAY AND DATE — 252 (on 5.7.2004)

21. TOTAL NUMBER OF QUESTIONS ADMITTED

    (i) Starred — 460

    (ii) Unstarred — 2,537

    (iii) Short-Notice Questions — Nil

22. DISCUSSIONS ON THE WORKING OF THE MINISTRIES — Nil

23. WORKING OF PARLIAMENTARY COMMITTEES

Sl. No.	Name of the Committee	No. of meetings held during the period 1 July to 30 Sept. 2004	No. of Reports presented
(i)	Business Advisory Committee	4	Nil
(ii)	Committee on Subordinate Legislation	3	1
(iii)	Committee on Petitions	3	Nil
(iv)	Committee of Privileges	Nil	Nil
(v)	Committee on Rules	2	2
(vi)	Committee on Government Assurances	3	Nil
(vii)	Committee on Papers Laid on the Table	3	Nil
(viii)	General Purposes Committee	Nil	Nil
(ix)	House Committee	2	Nil
Department-related Standing Committees			
(x)	Commerce	4	2
(xi)	Home Affairs	5	2
(xii)	Human Resource Development	8	4
(xiii)	Industry	6	8
(xiv)	Science and Technology, Environment and Forests	6	7
(xv)	Transport, Tourism and Culture	9	5
(xvi)	Health & Family Welfare	6	3
(xvii)	Personnel, Public Grievances, Law & Justice	6	2
Other Committees			
(xviii)	Committee on Ethics	1	Nil
(xix)	Committee on Provision of Computers to Members of Rajya Sabha	Nil	Nil
(xx)	Committee on Member of Parliament Local Area Development Scheme	Nil	Nil

(xxi) Joint Parliamentary Committee on the Functioning of Wakf Boards	Nil	Nil
24. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE		5
25. PETITIONS PRESENTED		Nil

26. NAME OF NEW MEMBERS SWORN IN, WITH DATES

Sl. No.	Name of members sworn in	Party affiliation	Date on which sworn in
1	2	3	4
1.	Shri Jaswant Singh (Leader of the Opposition)	BJP	5-7-2004
2.	Shri Raashid Alvi	INC	-do-
3.	Shri Penumalli Madhu	CPI(M)	-do-
4.	Shri C. Ramachandraiah	TDP	-do-
5.	Shri Jairam Ramesh	INC	-do-
6.	Shri Gireesh Kumar Sanghi	INC	-do-
7.	Shri Jesudasu Seelam	INC	-do-
8.	Shri Mangani Lal Mandal	RJD	-do-
9.	Shri Vidya Sagar Nishad	RJD	-do-
10.	Shrimati Mohsina Kidwai	INC	-do-
11.	Shri Oscar Fernandes	INC	-do-
12.	Shri B.K. Hariprasad	INC	-do-
13.	Shri M. Venkaiah Naidu	BJP	-do-
14.	Shri M.A.M. Ramaswamy	JD(S)	-do-
15.	Shri Laxminarayan Sharma	BJP	-do-
16.	Shri Narayan Singh Kesari	BJP	-do-
17.	Shri Su. Thirunavukkarasar	BJP	-do-
18.	Shri Vijay J. Darda	INC	-do-
19.	Shri Pramod Mahajan	BJP	-do-
20.	Shri Shivraj Vishwanath Patil	INC	-do-
21.	Shri Sanjay Raut	SS	-do-
22.	Shri Tariq Anwar	NCP	-do-
23.	Dr. Chhattrapal Singh Lodha	BJP	-do-
24.	Shri Pyarimohan Mohapatra	BJD	-do-
25.	Dr. Radhakant Nayak	INC	-do-
26.	Shri Rudra Narayan Pany	BJP	-do-
27.	Shrimati Sukhbuns Kaur	INC	-do-
28.	Shri Raj Mohinder Singh Majitha	SAD	-do-

29.	Shrimati Ambika Soni	INC	-do-
30.	Shri Santosh Bagrodia	INC	-do-
31.	Shri Lalit Kishore Chaturvedi	BJP	-do-
32.	Dr. (Shrimati) Najma A. Heptulla	BJP	-do-
33.	Dr. Gyan Prakash Pilania	BJP	-do-
34.	Shri S. Anbalagan	AIADMK	-do-
35.	Dr. Anbumani Ramadoss	PMK	-do-
36.	Shri T.T.V. Dhinakaran	AIADMK	-do-
37.	Shri N.R. Govindarajar	AIADMK	-do-
38.	Dr. K. Malaisamy	AIADMK	-do-
39.	Shri E.M. Sudarsana Natchiappan	INC	-do-
40.	Shri Kamal Akhtar	SP	-do-
41.	Shri Anil Dhirubhai Ambani	Independent	-do-
42.	Shrimati Jaya Bachchan	SP	-do-
43.	Dr. Murli Manohar Joshi	BJP	-do-
44.	Kumari Mayawati	BSP	-do-
45.	Shri Satish Chandra Misra	BSP	-do-
46.	Shri Ram Narayan Sahu	SP	-do-
47.	Shri Arun Shourie	BJP	-do-
48.	Shri Bhagwati Singh	SP	-do-
49.	Shri Lalit Suri	Independent	-do-
50.	Shri Satish Kumar Sharma	INC	-do-
51.	Kumari Nirmala Deshpande	Nominated	-do-
52.	Shri Nand Kishore Yadav	SP	6-7-2004
53.	Shri Dilip Singh Judev	BJP	7-7-2004
54.	Shri Pyarelal Khandelwal	BJP	-do-
55.	Shri Sharad Anantrao Joshi	SBP	-do-
56.	Shri R.K. Dhawan	INC	8-7-2004
57.	Shri Jai Narain Prasad Nishad	BJP	-do-
58.	Shri Motiur Rahman	RJD	-do-
59.	Shri Sharad Yadav	JD(U)	-do-
60.	Shri Subhash Prasad Yadav	RJD	-do-
61.	Shri Stephen Marandi	JMM	-do-
62.	Shri Yashwant Sinha	BJP	-do-
63.	Shri V. Hanumantha Rao	INC	12-7-2004
64.	Shri Ajay Singh Chautala	INLD	16-8-2004

65.	Shri Tarlochan Singh	Independent	-do-
66.	Shri Janardan Dwivedi	INC	-do-
67.	Shri P.M. Sayeed	INC	-do-
68.	Shri Chittabrata Majumdar	CPI(M)	9-9-2004

27. OBITUARY REFERENCES

Sl. No.	Name	Sitting member/ Ex-member
	16.8.2004	
1.	Shri S. Channa Reddy	Ex-member
2.	Shri M.R. Krishna	-do-

APPENDIX III

STATEMENT SHOWING THE ACTIVITIES OF THE LEGISLATURES OF THE STATES AND UNION TERRITORIES DURING THE PERIOD 1 JULY TO 30 SEPTEMBER 2004

Legislature	Duration	Sittings	Govt. Bills	Private Bills	Starred Questions	Unstarred Questions	Short Notice Questions
1	2	3	4	5	6	7	8
STATES							
Andhra Pradesh L.A.**	—	—	—	—	—	—	—
Arunachal Pradesh L.A.*	—	—	—	—	—	—	—
Assam L.A.	12.7.2004 to 18.8.2004	17	5	—	780(320)	279(603)(@)	81(78)
Bihar L.A.*	—	—	—	—	—	—	—
Bihar L.C.**	—	—	—	—	—	—	—
Chhattisgarh L.A.**	—	—	—	—	—	—	—
Delhi L.A.	20.7.2004 to 4.8.2004	12	6(3)	1	–(200)	–(445)	—
Goa L.A.*	—	—	—	—	—	—	—
Gujarat L.A.	27.8.2004	1	—	—	—	—	—
Haryana L.A.	29.9.2004	1	8(8)	—	47(35)	—	—
Himachal Pradesh L.A.*	—	—	—	—	—	—	—
Jammu & Kashmir L.A.	18.8.2004 to 28.8.2004	8	3	—	209(196)	170(159)	3(3)
Jammu & Kashmir L.C.	18.8.2004 to 27.8.2004	8	—	—	174(163)	69(55)	—
Jharkhand L.A.	2.8.2004 to 4.8.2004 and 17.8 2004 to 19.8.2004	6	1(1)	—	—	—	—
Karnataka L.A.	19.7.2004 to 5.8.2004	14	7(7)	—	135(135)	698(698)	8
Karnataka L.C.	19.7.2004 to 5.8.2004	14	–(7)	—	673(135)	538(446)	—

Kerala L.A.**	—	—	—	—	—	—	—
Madhya Pradesh L.A.*	—	—	—	—	—	—	—
Maharashtra L.A.*	—	—	—	—	—	—	—
Maharashtra L.C.	13.8.2004	1	—	—	—	—	—
Manipur L.A.**	—	—	—	—	—	—	—
Meghalaya L.A.**	—	—	—	—	—	—	—
Mizoram L.A.**	—	—	—	—	—	—	—
Nagaland L.A.*	—	—	—	—	—	—	—
Orissa L.A.	30.6.2004 to 31.8.2004	31	5(5)	3	3,895(870)	3,213(4,375)[a]	—
Punjab L.A.*	—	—	—	—	—	—	—
Rajasthan L.A.	30.6.2004 to 4.8.2004	20	11(11)	—	366(312)	640(540)	—
Sikkim L.A.	7.9.2004 to 17.9.2004	9	9(8)	—	92(90)	5(5)	—
Tamil Nadu L.A.**	—	—	—	—	—	—	—
Tripura L.A.*	—	—	—	—	—	—	—
Uttaranchal L.A.	19.7.2004 to 27.7.2004	7	5(5)	—	–(125)	–(636)	128(18)
Uttar Pradesh L.A.	22.7.2004 to 6.8.2004	12	16(19)	1	1,073(12)	298(258)[a]	—
Uttar Pradesh L.C.	22.7.2004 to 9.8.2004	12	3(19)	—	714(601)	133(109)	29(25)
West Bengal L.A.*	—	—	—	—	—	—	—
UNION TERRITORIES							
Pondicherry L.A.	5.7.2004 to 30.7.2004	19	5(5)	—	–(642)	–(229)	—

* Information received from the State/Union territory Legislature contained NIL report

** Information not received from the State/Union territory Legislature

Notes : a) Starred Questions and Short Notices admitted as Unstarred

APPENDIX III (Contd.)

COMMITTEES AT WORK / NUMBER OF SITTINGS HELD AND NUMBER OF REPORTS PRESENTED DURING THE PERIOD 1 JULY TO 30 SEPTEMBER 2004

	Business Advisory Committee	Committee on Govt. Assurances	Committee on Petitions	Committee on Private Members Bills and Resolutions	Committee of Privileges	Committee on Public Undertakings	Committee on Subordinate Legislation	Committee on the Welfare of SCs and STs	Committee on Estimates	General Purposes Committee	House/Accommodation Committee	Library Committee	Public Accounts Committee	Rules Committee	Joint/Select Committee	Other Committees
	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
STATES																
Andhra Pradesh L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Arunachal Pradesh L.A.*	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Assam L.A.	3	—	1(1)	—	4(1)	1	—	3	3	2	3	—	5	—	—	3[a]
Bihar L.A.	—	15(1)	—	—	—	—	10	9	35	—	—	10	—	—	—	74[b]
Bihar L.C.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Chhattisgarh L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Delhi L.A.	2(2)	—	—	1(1)	—	1	1	1	1	—	—	1	1	—	2	3[c]
Goa L.A.	1(1)	—	1	—	—	1	—	—	—	—	—	—	1	—	2	—
Gujarat L.A.	—	5	1	—	1	10	3	15	8	—	2	—	15	—	—	22[d]
Haryana L.A.	1(1)	19	—	—	15(1)	12	13	16	17	—	13	12	20	12	—	—
Himachal Pradesh L.A.	—	—	—	—	7	9	7	9	10	—	—	—	9	1	—	26[e]
Jammu & Kashmir L.A.	—	6	2	—	2	3	1	—	2	—	—	2	—	1(1)	—	9[f]
Jammu & Kashmir L.C.	—	4	—	—	1	—	2	—	—	—	—	—	—	6	—	—
Jharkhand L.A.	1	6	—	—	—	—	11	9	—	—	—	12	10	—	—	—
Karnataka L.A.	3	5	4	3	5	5	2	5	4	—	3	3	5	—	—	15[g]
Karnataka L.C.	2	7(1)	6	2(2)	3(1)	—	—	—	—	—	3	—	—	—	—	—
Kerala L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Madhya Pradesh L.A.	2	4	4	2	2	6	3	3	5	—	2	1	6	4	—	5[h]
Maharashtra L.A.	—	3	2(2)	—	—	10	7	16	10	—	—	—	13	—	—	25(2)[i]
Maharashtra L.C.	1	8	2	—	1	10	7	16	10	—	—	—	13	—	—	25(2)[j]
Manipur L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Meghalaya L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mizoram L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Nagaland L.A.	—	—	—	—	1	—	1	—	1	—	—	1	3	—	—	—
Orissa L.A.	2	3	3	—	—	3	4	5	4	3	—	3	3	—	—	21[k]
Punjab L.A.	—	14	12	—	11	13	12	9	17	—	9	10	22	—	—	20[l]
Rajasthan L.A.	2(2)	10	18	—	11	18(17)	18(1)	38	33(5)	—	12	7	21	11	—	40(1)[m]
Sikkim L.A.	—	—	—	—	—	—	—	—	—	—	—	—	5	—	—	—

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Tamil Nadu L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Tripura L.A.	1(1)	2	3	—	—	4	—	4	3	—	1	2	4	—	—	—
Uttaranchal L.A.	3	17	3	—	—	4	—	2	2	—	2	—	1	—	—	—
Uttar Pradesh L.A.	5(5)	22(4)	4	—	—	6(4)	7	32	5	—	—	—	6(1)	—	—	—
Uttar Pradesh L.C.	6	8	15	—	6	—	—	—	—	—	2	—	—	10	—	73[m]
West Bengal L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
UNION TERRITORY																
Pondicherry L.A.	—	—	—	—	—	—	—	—	18	—	—	—	19	—	—	—

* Information received from State/Union territory Legislatures contained NIL report

** Information not received from the State/Union territory Legislatures

(a) Committee on Welfare of Women and Children-1; and Ethics Committee-2

(b) Nivedan Committee-27; Zilla Panchayat/Zilla Parishad Committee-8; Internal Resources Committee-18; Woman and Child Welfare Committee-10; and Question and Calling Attention Committee-11

(c) Committee on Woman and Child Welfare-1; Question and Reference Committee-1; and Committee on Environment-1

(d) Members Pay and Allowance Rules Committee-1; Panchayati Raj Committee-9; Welfare of Socially and Educationally Backward Classes Committee-7; and Committee on Papers Laid on the Table-5

(e) Public Administration Committee-7; Human Development Committee-6; General Development Committee-6; and Rural Planning Committee-7

(f) Environment Committee-5; and Ethics Committee-4

(g) Committee on Welfare of Backward Classes and Minorities-5; Committee on Papers Laid on the Table-5; and Committee on Welfare of Women and Children-5

(h) Committee on Welfare of Women and Children-2; and Committee on Questions and References-3

(i)&(j)Panchayati Raj Committee-15; Women's Ad-hoc Committee-2(2); and Other Backward Classes Welfare Committee-8

(k) Committee on Papers Laid on the Table-4; Committee on Ethics-4; Committee on Woman and Child Welfare-2; Committee on Co-operation-2; Committee on Amenities-4; Committee on Forests-3; and Committee on Panchayati Raj-2

(l) Committee on Papers Laid/to be Laid on the Table-11; and Committee on Questions and References-9

(m) Committee on Welfare of Woman and Child-17(1); Question and Reference Committee-11; and Committee on Welfare of Backward Classes-12

(n) The Compilation of Ruling Committee-16; Vidhai Samadhikar Samiti-6; Sansdhiya Evam Samakik Sadbhave Samiti-13; Question and Reference Committee-14; Financial and Administration Delays Committee-9; Parliamentary Studies Committee-6; and Prashno ke Kram Nairdharne Evam Prakriya Niyaman Samiti-9

APPENDIX IV

LIST OF BILLS PASSED BY THE HOUSES OF PARLIAMENT AND ASSENTED TO BY THE PRESIDENT DURING THE PERIOD

1 JULY TO 30 SEPTEMBER 2004

Sl. No.	Title of the Bill	Date of Assent
1	2	3
1.	The Appropriation (Railways) Vote on Account No. 2 Bill, 2004	22.7.2004
2.	The Appropriation (No. 2) Bill, 2004	29.7.2004
3.	The Appropriation (Vote on Account) No. 2 Bill, 2004	29.7.2004
4.	The Appropriation (Railways) No. 3 Bill, 2004	3.9.2004
5.	The Appropriation (No. 3) Bill, 2004	3.9.2004
6.	The Finance (No. 2) Bill, 2004	10.9.2004

APPENDIX V

LIST OF BILLS PASSED BY THE LEGISLATURES OF THE STATES AND THE UNION TERRITORIES DURING THE PERIOD

1 JULY TO 30 SEPTEMBER 2004

DELHI LEGISLATIVE ASSEMBLY

1. The Municipal Corporation of Delhi (Amendment) Bill, 2004
2. The Appropriation (No.2) Bill, 2004
3. The Delhi Tax on Luxuries (Amendment) Bill, 2004

HARYANA LEGISLATIVE ASSEMBLY

1. The Punjab Sugarcane (Regulation of Purchase and Supply) Haryana Amendment Bill, 2004
2. The Haryana Municipal (Amendment) Bill, 2004
3. The Kurukshetra Shrine Bill, 2004
4. The Haryana Municipal Corporation (Second Amendment) Bill, 2004
5. The Haryana Panchayati Raj (Second Amendment) Bill, 2004
6. The Punjab Shop and Commercial Establishment (Haryana Amendment) Bill, 2004
7. The Haryana Urban Development Authority (Second Amendment) Bill, 2004
8. The Haryana Relief of Agricultural Indebtedness (Amendment) Bill, 2004.

KARNATAKA LEGISLATIVE ASSEMBLY

1. The Karnataka Appropriation (No.1) Bill, 2004
2. The Karnataka Taxation Laws (Second Amendment) Bill, 2004
3. The Karnataka Excise (Amendment) Bill, 2004
4. The Karnataka Motor Vehicles Taxation (Second Amendment) Bill, 2004
5. The Karnataka Special Tax on Entry of Certain Goods Bill, 2004
6. The Karnataka Selection of Candidates for Admission to Medical, Dental and Engineering Courses (Special Provisions) Bill, 2004
7. The Karnataka Appropriation (No.2) Bill, 2004

KARNATAKA LEGISLATIVE COUNCIL

1. The Karnataka Appropriation (No.1) Bill, 2004
2. The Karnataka Taxation Laws (Second Amendment) Bill, 2004
3. The Karnataka Excise (Amendment) Bill, 2004
4. The Karnataka Motor Vehicles Taxation (Second Amendment) Bill, 2004
5. The Karnataka Special Tax on Entry of Certain Goods Bill, 2004
6. The Karnataka Selection of Candidates for Admission to Medical, Dental and Engineering Courses (Special Provisions) Bill, 2004

7. The Karnataka Appropriation (No.2) Bill, 2004

ORISSA LEGISLATIVE ASSEMBLY

1. The Orissa Sales Tax (Amendment) Bill, 2004
2. The Orissa Kendu Leaves (Control of Trade) Amendment Bill, 2004
3. The Orissa Gram Panchayat (Amendment) Bill, 2004
4. The Orissa Co-operative Societies (Amendment) Bill, 2004
5. The Orissa Appropriation Bill, 2004

RAJASTHAN LEGISLATIVE ASSEMBLY

1. The Rajasthan Finance Bill, 2004
2. The Rajasthan Appropriation (No.3) Bill, 2004
3. The Rajasthan Urban Improvement (Amendment) Bill, 2004
4. The Code of Criminal Procedure (Rajasthan Amendment) Bill, 2004
5. The Rajasthan Sanskrit University (Amendment) Bill, 2004
6. The Rajasthan Agriculture Produce Markets (Amendment) Bill, 2004
7. The Rajasthan Stamp (Amendment) Bill, 2004
8. The Rajasthan Panchayati Raj (Amendment) Bill, 2004
9. The Rajasthan Co-operative Societies (Amendment) Bill, 2004
10. The Rajasthan Sales Tax (Amendment) Bill, 2004
11. The Rajasthan State Road Development Fund Bill, 2004

UTTARANCHAL LEGISLATIVE ASSEMBLY

1. The Uttaranchal [The Uttar Pradesh Krishi Utpadan Mandi Samiti (Alpkalik Vyavastha), Adhiniyam, 1972] Adaptation & Modification Order, 2002 (Third Amendment) Bill, 2004
2. The Uttaranchal Appropriation Bill, 2004
3. The Uttaranchal (Uttar Pradesh Trade Tax Act, 1948) Adaptation & Modification Order, 2002 (Amendment) Bill, 2004
4. The Uttaranchal (Uttar Pradesh Krishi Utpadan Mandi Adhiniyam, 1964) Adaptation & Modification Order, 2002 (First Amendment) Bill, 2004
5. The Uttaranchal Tourism Development Board Act, 2001 (Amendment) Bill, 2004

UTTAR PRADESH LEGISLATIVE ASSEMBLY

1. The Uttar Pradesh Krishi Utpadan Mandi Vidhi (Sanshodhan) Bill, 2004
2. The Uttar Pradesh Panchayat Raj (Amendment) Bill, 2004
3. The Uttar Pradesh Tax on Entry of Goods (Amendment) Bill, 2004
4. The Uttar Pradesh Trade Tax (Amendment) Bill, 2004
5. The Uttar Pradesh Electricity Reforms (Amendment) Bill, 2004
6. The Uttar Pradesh State Highways Authority (Amendment) Bill, 2004
7. The Uttar Pradesh Trade Tax (Second Amendment) Bill, 2004
8. The Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Bill, 2004
9. The Uttar Pradesh Commission for Minorities (Amendment) Bill, 2004
10. The Uttar Pradesh Appropriation (Supplementary 2004-2005) Bill, 2004

11. The Uttar Pradesh Appropriation (Regularization of Excess Expenditure, 1983-84, 1984-85, 1985-86, 1986-87, 1987-88, 1988-89 and 1989-90) Bill, 2004
12. The Uttar Pradesh Higher Education Services Commission (Amendment) Bill, 2004
13. The Uttar Pradesh State Universities (Amendment) Bill, 2004
14. The Uttar Pradesh Secondary Education Services Selection Board (Amendment) Bill, 2004
15. The Uttar Pradesh Trade Tax (Third Amendment) Bill, 2004
16. The Uttar Pradesh Tax on Entry of Goods (Second Amendment) Bill, 2004
17. The Uttar Pradesh Motor Vehicles Taxation (Amendment) Bill, 2004
18. The Uttar Pradesh Municipal Corporation (Amendment) Bill, 2004
19. The Uttar Pradesh State Universities (Second Amendment) Bill, 2004

UTTAR PRADESH LEGISLATIVE COUNCIL

1. The Uttar Pradesh Krishi Utpadan Mandi Vidhi (Sanshodhan) Vidheyak, 2004
2. The Uttar Pradesh Maal ke pravesh per kar (Sanshodhan) Vidheyak, 2004
3. The Uttar Pradesh Vyapar Kar (Sanshodhan) Vidheyak, 2004
4. The Uttar Pradesh Viniyog (2004-2005 ka Anupurak) Vidheyak, 2004
5. The Uttar Pradesh Madhyamik Shiksha Seva Chayan Board (Sanshodhan) Vidheyak, 2004

PONDICHERRY LEGISLATIVE ASSEMBLY

1. The Registration (Pondicherry Amendment) Bill, 2004
2. The Appropriation (No.2) Bill, 2004
3. The Appropriation (No.3) Bill, 2004
4. The Pondicherry Electricity (Recovery of Dues) Bill, 2004
5. The Pondicherry Money Lenders (Amendment) Bill, 2004

APPENDIX VI

ORDINANCES PROMULGATED BY THE UNION AND STATE GOVERNMENTS DURING THE PERIOD 1 JULY TO 30 SEPTEMBER 2004

Sl. No.	Title of Ordinance	Date of Promulgation	Date on which laid before the House	Date of Cessation	Remarks
			UNION GOVERNMENT		
1.	The Prevention of Terrorism (Repeal) Ordinance, 2004	21.9.2004	Yet to be laid	12.1.2005	Yet to be replaced by an Act of Parliament
2.	The Unlawful Activities (Prevention) Amendment Ordinance, 2004	21.9.2004	Yet to be laid	12.1.2005	Yet to be replaced by an Act of Parliament
3.	The Banking Regulation (Amendment) and Miscellaneous Provisions Ordinance, 2004	24.9.2004	Yet to be laid	12.1.2005	Yet to be replaced by an Act of Parliament
			HIMACHAL PRADESH		
1.	The Himachal Pradesh Housing and Urban Development Authority (Amendment) Ordinance, 2004	13.9.2004	—	—	—
			KARNATAKA		
1	The Karnataka State Universities (Amendment) Ordinance, 2004	—	—	—	—

MAHARASHTRA

1.	The Bombay Sales Tax (Amendment) Ordinance, 2004	29.6.2004	6.11.2004	18.12.2004	Replaced by Legislation
2.	The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Ordinance, 2004	2.7.2004	6.11.2004	18.12.2004	Ordinance conversion Bill was taken-up for consideration in the Council and the Bill is referred to Joint Committee of both the Houses with the leave of Legislative Assembly
3.	The Maharashtra Tax on Sale of Electricity (Amendment and Continuance) Ordinance, 2004	3.7.2004	6.11.2004	18.12.2004	Replaced by Legislation
4.	The Maharashtra Tenancy and Agricultural Lands Laws (Amendment and Continuance) Ordinance, 2004	3.7.2004	6.11.2004	18.12.2004	Ordinance conversion Bill was taken-up for consideration in the Assembly and the Bill is referred to Joint Committee of both the Houses with the leave of Legislative Assembly
5.	The Maharashtra Land Revenue Code (Amendment and Continuance), Ordinance, 2004	3.7.2004	6.11.2004	18.12.2004	Ordinance conversion Bill was taken-up for consideration in the Assembly and the Bill is referred to Joint Committee of both the Houses with the leave of Legislative Assembly

6.	The Maharashtra Krishna Valley and Konkan Irrigation Development Corporation (Amendment and Validation) (Continuance) Ordinance, 2004	6.7.2004	6.11.2004	18.12.2004	Replaced by Legislation
7.	The Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships (Amendment and Continuance) Ordinance, 2004	16.7.2004	6.11.2004	18.12.2004	Replaced by Legislation
8.	The Rajiv Gandhi Science and Technology Commission Ordinance, 2004	21.7.2004	6.11.2004	18.12.2004	Replaced by Legislation
9.	The Maharashtra Housing and Area Development (Amendment and Continuance) Ordinance, 2004	29.7.2004	6.11.2004	18.12.2004	Replaced by Legislation
10.	The Maharashtra Self-Financed Universities (Establishment and Regulation) Ordinance, 2004	16.8.2004	6.11.2004	18.12.2004	Ordinance conversion Bill was taken-up for consideration in the Council and the Bill is referred to Joint Committee of both the Houses with the leave of Legislative Assembly
11.	The Maharashtra Management of Irrigation Systems by Farmers Ordinance, 2004	18.8.2004	6.11.2004	18.12.2004	Ordinance conversion Bill was taken-up for consideration in the Council and the Bill is referred to Joint Committee of both the Houses with the leave of Legislative Assembly

12.	The Maharashtra Zilla Parishads and Panchayat Samitis Temporary postponement of Elections (of the President, Vice-President and Chairmen of subjects Committees of certain Zilla Parishads and Chairmen and Deputy Chairmen of certain Panchayat Samitis due to ensuing General Elections to the State Legislative Assembly) Ordinance, 2004	21.8.2004	6.11.2004	18.12.2004	Replaced by Legislation
13.	The Maharashtra Zilla Parishads and Panchayat Samitis (Amendment) Ordinance, 2004	21.8.2004	6.11.2004	18.12.2004	Replaced by Legislation
14.	The Maharashtra Municipal Corporations Temporary Post-ponement of Elections (of the Mayors and Deputy Mayors due to ensuing General Elections to the State Legislative Assembly) Ordinance, 2004	21.8.2004	6.11.2004	18.12.2004	Replaced by Legislation
15.	The Shree Sai Baba Sansthan Trust (Shirdi) (Amendment) Ordinance, 2004	23.8.2004	6.11.2004	18.12.2004	Replaced by Legislation
16.	The Maharashtra Zilla Parishads and Panchayat Samitis (Second Amendment) Ordinance, 2004	23.8.2004	6.11.2004	18.12.2004	Replaced by Legislation

17.	The Maharashtra State Minorities Commission Ordinance, 2004	24.8.2004	6.11.2004	18.12.2004	Replaced by Legislation
18.	The Maharashtra Contingency Fund (Second Amendment) Ordinance, 2004	15.9.2004	6.11.2004	18.12.2004	—
19.	The Bombay Court-Fees (Amendment) Ordinance, 2004	28.9.2004	6.11.2004	18.12.2004	Replaced by Legislation
			UTTARANCHAL		
1.	The Uttaranchal [The Uttar Pradesh Krishi Utpadan Mandi Samiti (Alpkalik Vyavastha) Adhiniyam, 1972] Adaptation & Modification Order, 2002 (Third Amendment) Ordinance, 2004	1.7.2004	19.7.2004	—	Replaced by Legislation
			UTTAR PRADESH		
1.	The Uttar Pradesh Panchayat Raj (Amendment) Ordinance, 2004	5.7.2004	23.7.2004	—	Replaced by Legislation
2.	The Uttar Pradesh Board of Madarsa Education Ordinance, 2004	3.9.2004	8.9.2004	—	Replaced by Legislation
3.	The Uttar Pradesh Rajya Vishvavidyalaya (Sanshodhan) Adhyadesh, 2004	—	22.7.2004	—	—
4.	The Uttar Pradesh Ucchatar Shiksha Seva Aayog (Sanshodhan) Adhyadesh, 2004	—	22.7.2004	—	—

5.	The Uttar Pradesh Madhyamik Shiksha Seva Chayan Board (Sanshodhan) Adhyadesh, 2004	—	22.7.2004	—	—
6.	The Uttar Pradesh Rajya Vishvavidyalaya (Dwitiya Sanshodhan) Adhyadesh, 2004	—	22.7.2004	—	—
7.	The Uttar Pradesh Vyapar Kar (Sanshodhan) Adhyadesh, 2004	—	22.7.2004	—	—
8.	The Uttar Pradesh Maal ke pravesh per kar (Sanshodhan) Adhyadesh, 2004	—	22.7.2004	—	—
9.	The Uttar Pradesh Rajya Rajmarg Pradhikaran Adhyadesh, 2004	—	22.7.2004	—	—
10.	The Uttar Pradesh Krishi Utpadan Mandi Vidhi (Sanshodhan) Adhyadesh, 2004	—	22.7.2004	—	—
11.	The Uttar Pradesi. Panchayat Raj (Sanshodhan) Adhyadesh, 2004	—	22.7.2004	—	—

APPENDIX VII

A. PARTY POSITION IN LOK SABHA (AS ON 24 MAY 2005)

States	Seats	INC	BJP	CPI (M)	SP	RJD	BSP	DMK	SS	BJD	CPI	NCP	JD (U)	SAD	PMK	JMM	TRS	TDP	MD MK	LJ SP	AIFB
Andhra Pradesh	42	29	—	1	—	—	—	—	—	—	1	—	—	—	—	—	5	5	—	—	—
Arunachal Pradesh	2	—	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Assam	14	9	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Bihar	40	3	5	—	—	22	—	—	—	—	—	—	6	—	—	—	—	—	—	4	—
Chhattisgarh	11	1	10	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Goa	2	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Gujarat	26	12	14	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Haryana	10	9	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Himachal Pradesh	4	3	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jammu & Kashmir	6	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jharkhand	14	6	1	—	—	2	—	—	—	—	1	—	—	—	—	4	—	—	—	—	—
Karnataka	28	9	16	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kerala	20	—	—	12	—	—	—	—	—	—	3	—	—	—	—	—	—	—	—	—	—
Madhya Pradesh	29	4	25	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Maharashtra	48	13	13	—	—	—	—	—	12	—	—	9	—	—	—	—	—	—	—	—	—
Manipur	2	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Meghalaya	2	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mizoram	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Nagaland	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Orissa	21	2	7	—	—	—	—	—	—	11	—	—	—	—	—	1	—	—	—	—	—
Punjab	13	2	3	—	—	—	—	—	—	—	—	—	—	8	—	—	—	—	—	—	—
Rajasthan	25	4	21	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sikkim	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Tamil Nadu	39	10	—	2	—	—	—	16	—	—	2	—	—	—	5	—	—	—	4	—	—
Tripura	2	—	—	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Uttaranchal	5	1	3	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Uttar Pradesh	80	9	10	—	36	—	18	—	—	—	—	—	1	—	—	—	—	—	—	—	—
West Bengal	42	6	—	26	—	—	—	—	—	—	3	—	—	—	—	—	—	—	—	—	3
Nominated	2	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
UNION TERRITORIES																					
A & N Islands	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Chandigarh	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Dadra & Nagar Haveli	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daman and Diu	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
The NCT of Delhi	7	6	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Lakshadweep	1	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—
Pondicherry	1	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—
Total	545	148	136	43	37	24	18	16	12	11	10	9	8	8	6	5	5	5	4	4	3

A. PARTY POSITION IN LOK SABHA (AS ON 24 MAY 2005)

States	JD(S)	RLD	RSP	AITC	AGP	J&K NC	AIM IM	BNP	IF DP	J&K PDP	KC	MNF	ML KSC	NPF	NLP	RPI (A)	SJP (R)	SDF	IND	TOTAL	VACA-NCIES
Andhra Pradesh	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	42	—
Arunachal Pradesh	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2	—
Assam	—	—	—	—	2	—	—	—	—	—	—	—	—	—	—	—	—	—	1	14	—
Bihar	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	40	—
Chhattisgarh	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	11	—
Goa	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2	—
Gujarat	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	26	—
Haryana	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	10	—
Himachal Pradesh	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4	—
Jammu & Kashmir	—	—	—	—	—	2	—	—	—	1	—	—	—	—	—	—	—	—	1	6	—
Jharkhand	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	14	—
Karnataka	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	27	1
Kerala	1	—	—	—	—	—	—	—	1	—	1	—	1	—	—	—	—	—	1	20	—
Madhya Pradesh	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	29	—
Maharashtra	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	48	—
Manipur	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	2	—
Meghalaya	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2	—
Mizoram	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	1	—
Nagaland	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	1	—
Orissa	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	21	—
Punjab	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	13	—
Rajasthan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	25	—
Sikkim	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	1	—
Tamil Nadu	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	39	—
Tripura	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2	—
Uttaranchal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	5	—
Uttar Pradesh	—	3	—	—	—	—	—	—	—	—	—	—	—	—	1	—	1	—	1	80	—
West Bengal	—	—	3	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	42	—
Nominated	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2	—
UNION TERRITORIES																					
A & N Islands	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—
Chandigarh	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—
Dadra & Nagar Haveli	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	1	—
Daman and Diu	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—
The NCT of Delhi	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	7	—
Lakshadweep	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—
Pondicherry	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—
Total	3	3	3	2	2	2	1	1	1	1	1	1	1	1	1	1	1	1	5	544	1

Abbreviations used in respect of parties represented in the Lok Sabha:

AGP-Asom Gana Parishad; AIFB-All India Forward Bloc; AIMIM-All India Majlis-e-Ittehadul Muslimeen; AITC-All India Trinamool Congress; BJD-Biju Janata Dal; BJP-Bharatiya Janata Party; BNP-Bharatiya Navshakti Party; BSP-Bahujan Samaj Party; CPI(M)-Communist Party of India (Marxist); CPI-Communist Party of India; DMK-Dravida Munnetra Kazhagam; IFDP-Indian Federal Democratic Party; INC-Indian National Congress; IND-Independents; J&KPDP- Jammu & Kashmir Peoples Democratic Party; J&KNC-Jammu & Kashmir National Conference; JD(S)-Janata Dal (Secular); JD(U)-Janata Dal (United); JMM-Jharkhand Mukti Morcha; KC-Kerala Congress; LJSP-Lok Jan Shakti Party; MDMK-Marumalarchi Dravida Munnetra Kazhagam; MLKSC-Muslim League Kerala State Committee; MNF-Mizo National Front; NCP-Nationalist Congress Party; NLP-National Loktantrik Party; NPF-Nagaland Peoples Front; PMK-Pattali Makkal Katchi; RJD-Rashtriya Janata Dal; RLD-Rashtriya Lok Dal; RPI(A)-Republican Party of India(A); RSP-Revolutionary Socialist Party; SAD-Shiromani Akali Dal; SDF-Sikkim Democratic Front; SJP(R)-Samajwadi Janata Party (Rashtriya); SP-Samajwadi Party; SS-Shiv Sena; TDP-Telugu Desam Party; TRS-Telangana Rashtra Samithi.

B. PARTY POSITION IN RAJYA SABHA (AS ON 17 DECEMBER 2004)

Sl. No.	State/Union Territories	Seats	INC	BJP	TDP	CPI (M)	AIA-DMK	BJD	SP	RJD	Shiv Sena	BSP	INLD	*Others	IND	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
STATES																	
1.	Andhra Pradesh	18	8	—	9	1	—	—	—	—	—	—	—	—	—	18	—
2.	Arunachal Pradesh	1	1	—	—	—	—	—	—	—	—	—	—	—	—	1	—
3.	Assam	7	5	1	—	—	—	—	—	—	—	—	—	—	1	7	—
4.	Bihar	16	2	3	—	—	—	—	—	8	—	—	—	2[a]	1	16	—
5.	Chhattisgarh	5	4	1	—	—	—	—	—	—	—	—	—	—	—	5	—
6.	Goa	1	1	—	—	—	—	—	—	—	—	—	—	—	—	1	—
7.	Gujarat	11	3	8	—	—	—	—	—	—	—	—	—	—	—	11	—
8.	Haryana	5	—	—	—	—	—	—	—	—	—	—	4	—	1	5	—
9.	Himachal Pradesh	3	1	2	—	—	—	—	—	—	—	—	—	—	—	3	—
10.	Jammu & Kashmir	4	2	—	—	—	—	—	—	—	—	—	—	2[b]	—	4	—
11.	Jharkhand	6	1	4	—	—	—	—	—	—	—	—	—	1[c]	—	6	—
12.	Karnataka	12	8	2	—	—	—	—	—	—	—	—	—	1[d]	1	12	—
13.	Kerala	9	3	—	—	2	—	—	—	—	—	—	—	3[e]	—	8	1
14.	Madhya Pradesh	11	5	6	—	—	—	—	—	—	—	—	—	—	—	11	—
15.	Maharashtra	19	5	3	—	—	—	—	—	—	4	—	—	5[f]	2	19	—
16.	Manipur	1	1	—	—	—	—	—	—	—	—	—	—	—	—	1	—
17.	Meghalaya	1	—	—	—	—	—	—	—	—	—	—	—	1[g]	—	1	—
18.	Mizoram	1	—	—	—	—	—	—	—	—	—	—	—	1[h]	—	1	—
19.	Nagaland	1	—	—	—	—	—	—	—	—	—	—	—	1[i]	—	1	—
20.	Orissa	10	1	3	—	—	—	5	—	—	—	—	—	—	1	10	—
21.	Punjab	7	5	—	—	—	—	—	—	—	—	—	—	2[j]	—	7	—
22.	Rajasthan	10	6	4	—	—	—	—	—	—	—	—	—	—	—	10	—
23.	Sikkim	1	—	—	—	—	—	—	—	—	—	—	—	1[k]	—	1	—

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	
24.	Tamil Nadu	18	3	—	—	—	12	—	—	—	—	—	—	3[m]	—	18	—
25.	Tripura	1	—	—	—	1	—	—	—	—	—	—	—	—	—	1	—
26.	Uttaranchal	3	2	1	—	—	—	—	—	—	—	—	—	—	—	3	—
27.	Uttar Pradesh	31	1	8	—	—	—	—	12	—	—	6	—	1[m]	3	31	—
28.	West Bengal	16	—	—	—	10	—	—	—	—	—	—	—	4[n]	2	16	—
UNION TERRITORIES																	
29.	The NCT of Delhi	3	3	—	—	—	—	—	—	—	—	—	—	—	—	3	—
30.	Pondicherry	1	1	—	—	—	—	—	—	—	—	—	—	—	—	1	—
31.	Nominated	12	—	3	—	—	—	—	—	—	—	—	—	9[o]	—	12	—
	TOTAL	245	72	49	9	14	12	5	12	8	4	6	4	37	12	245	1

OTHERS
(Break-up of Parties/Groups)

(a) Samata Party-1; and Janata Dal (United)-1
(b) Jammu and Kashmir National Conference-1; and Peoples' Democratic Party-1
(c) Jharkhand Mukti Morcha-1
(d) Janata Dal (Secular)-1
(e) Muslim League-2; and Revolutionary Socialist Party-1
(f) Nationalist Congress Party-3; Republican Party of India-1; and Sadbhavana Party-1
(g) Nationalist Congress Party-1
(h) Mizo National Front-1
(i) Nagaland Peoples Front-1
(j) Shiromani Akali Dal-2
(k) Sikkim Democratic Front-1
(l) Dravida Munnetra Kazhagam-2; and Pattali Makkal Katchi-1
(m) Akhil Bharatiya Loktantrik Congress-1
(n) Revolutionary Socialist Party-2; Forward Bloc-1; and All India Trinamool Congress-1
(o) Nominated-9

C. PARTY POSITION IN STATE / UNION TERRITORY LEGISLATURES

State/Union territories	Seats	Cong.(I)	Janata Dal	BJP	CPI(M)	CPI	Other Parties	Ind.	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11
Andhra Pradesh L.A.**	—	—	—	—	—	—	—	—	—	—
Arunachal Pradesh L.A. (1.12.2004)	60	34	—	9	—	—	4[a]	13	60	—
Assam L.A. (30.9.2004)	125	70	—	8	—	—	29[b]	18	125	—
Bihar L.A.*	—	—	—	—	—	—	—	—	—	—
Bihar L.C.**	—	—	—	—	—	—	—	—	—	—
Chhattisgarh**	—	—	—	—	—	—	—	—	—	—
Delhi L.A. (1.12.2004)	70	45	—	20	—	—	2[c]	1	68	2
Goa L.A. (1.12.2004)	40	15	—	20	—	—	4[d]	1	40	—
Gujarat L.A. (1.12.2004)	182	48	—	130	—	—	2[e]	2	182	—
Haryana L.A. (1.12.2004)	90	19	—	—	—	—	49[f]	9	77•	12
Himachal Pradesh L.A. (1.7.2004)	68	43	—	18	—	—	1[g]	6	68	—
Jammu & Kashmir L.A. (30.11.2004)	89	20	—	1	2	—	53[h]	13	89	—
Jammu & Kashmir L.C. (1.12.2004)	36	8	—	—	—	1	18[i]	—	27•	8
Jharkhand L.A.*	—	—	—	—	—	—	—	—	—	—
Karnataka L.A. (1.12.2004)	225	65	—	79	1	—	66[j]	13	224•	—

Karnataka L.C. (1.11.2004)	75	46	—	10	—	—	14[k]	2	72	3
Kerala L.A.**	—	—	—	—	—	—	—	—	—	—
Madhya Pradesh L.A. (1.12.2004)	231	39	—	171	1	—	17[f]	2	230[e]	—
Maharashtra L.A. (1.12.2004)	289	67	—	54	3	—	143[m]	19	286	3
Maharashtra L.C. (1.12.2004)	78	20	1	12	—	—	32[n]	12	76	2
Manipur L.A.**	—	—	—	—	—	—	—	—	—	—
Meghalaya L.A.**	—	—	—	—	—	—	—	—	—	—
Mizoram L.A.**	—	—	—	—	—	—	—	—	—	—
Nagaland L.A. (1.12.2004)	60	16	—	7	—	—	33[o]	4	60	—
Orissa L.A. (31.10.2004)	147	38	—	32	1	1	75[b]	—	147	—
Punjab L.A. (1.12.2004)	117	65	—	2	—	—	40[k]	9	116	1
Rajasthan L.A. (30.9.2004)	200	55	—	119	1	—	10[r]	13	198	2
Sikkim L.A. (1.12.2004)	32	1	—	—	—	—	31[s]	—	32	—
Tamil Nadu L.A.**	—	—	—	—	—	—	—	—	—	—
Tripura L.A. (1.12.2004)	60	13	—	—	38	1	8[t]	—	60	—
Uttaranchal L.A. (1.12.2004)	71	37	—	19	—	—	15[u]	—	71	—
Uttar Pradesh L.A. (1.12.2004)	404	16	—	84	2	—	281[v]	16	399	5

Uttar Pradesh L.C. (1.12.2004)	100	4	—	24	—	—	65[m]	6	99	1
West Bengal L.A.**	—	—	—	—	—	—	—	—	—	—
UNION TERRITORY										
Pondicherry L.A. (1.12.2004)	30	16	—	1	—	—	10[n]	2	29@	—

* Information received from the State/Union territory Legislatures contained NIL report

** Information not received from the State/Union territory Legislatures

@ Excluding Speaker/Chairman

(a) Arunachal Congress-2; and Nationalist Congress Party-2

(b) Asom Gana Parishad-20; Nationalist Congress Party-3; Autonomous State Demand Committee (United)-2; Samata Party-1; Samajwadi Party-1; and All India Trinamool Congress-2

(c) Janata Dal (S)-1; and Nationalist Congress Party-1

(d) United Goans Democratic Party-1; United Goans Democratic Party (Secular)-1; Maharashtrawadi Gomantak Party-1; and Nationalist Congress Party-1

(e) Janata Dal (United)-2

(f) Indian National Lok Dal-46; Bahujan Samaj Party-1; Nationalist Congress Party-1; Republican Party of India-1

(g) Lok Jan Shakti Party-1

(h) National Conference-27; Peoples Democratic Party-17; National Panthers Party-4; Bahujan Samaj Party-1; Awami League-1; Democratic Movement-1; and Nominated-2

(i) National Conference-14; Peoples Democratic Party-3; and National Panthers Party-1

(j) Janata Dal (S)-57; Janata Dal (U)-5; Kannada Chalavali Vatal Paksha-1; Kannada Naadu Party-1; Republican Party of India-1; and Nominated-1

(k) Janata Dal (S)-11; and Janata Dal (U)-3

(l) Samajwadi Party-7; Bahujan Samaj Party-2; Gondwana Gantantra Party-3; Rashtriya Samanta Dal-2; Janata Dal (U)-1; Nationalist Congress Party-1; and Nominated-1

(m) Nationalist Congress Party-71; Shiv Sena-62; Jan Surajya Shakti-4; Peasants and Workers Party of India-2; Bharipa Bahujan Mahasangh-1; Republican Party of India (A)-1; Swatantra Bharat Paksha-1; and Aakhil Bharatiya Sena-1

(n) Nationalist Congress Party-18; Shiv Sena-12; Peasants and Workers Party of India-1; and Peoples Republican Party-1

(o) Nagaland Peoples Front-31; and Janata Dal (U)-2

(p) Biju Janata Dal-61; Jharkhand Mukti Morcha-4; and Orissa Gana Parishad -2

(q) Shiromani Akali Dal-40

(r) Janata Dal (U)-2; Indian National Lok Dal-4; Bahujan Samaj Party-2; Rajasthan Samajik Nayaya Manch-1; and Lok Jan Shakti Party-1

(s) Sikkim Democratic Front-31

(t) Revolutionary Socialist Party-2; and Indigenous Nationalist Party of Twipra-6

(u) Bahujan Samaj Party-7; Uttarkhand Party-3; Nominated-1; and Others-3

(v) Samajwadi Party-195; Bahujan Samaj Party-67; Rashtriya Lok Dal-14; Uttar Pradesh Loktantrik Congress-2; Akhil Bharatiya Congress-1; Akhil Bharatiya Hindu Mahasabha-1; and Nominated-1

(w) Samajwadi Party-37; Bahujan Samaj Party-12; Rashtriya Lok Dal-5; Samajwadi Janata Party (Rashtriya)-1; and Shikshak Dal (Non-political)-1

(x) All India Anna Dravida Munnetra Kazhagam-2; Tamil Maanila Congress-1; and Dravida Munnetra Kazhagam-7

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